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**INVESTIGATION OF IMPROPER ACTIVITIES IN THE
LABOR OR MANAGEMENT FIELD**

**HEARINGS
BEFORE THE
SELECT COMMITTEE
ON IMPROPER ACTIVITIES IN THE
LABOR OR MANAGEMENT FIELD
EIGHTY-FIFTH CONGRESS
FIRST SESSION
PURSUANT TO SENATE RESOLUTION 74, 85TH CONGRESS**

AUGUST 20, 21, 22, AND 23, 1957

PART 13

**Printed for the use of the Select Committee on Improper Activities in the
Labor or Management Field**





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UNITED STATES
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**SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR
MANAGEMENT FIELD**

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159. Four advertisements regarding the Sun Valley project selling lots at \$150 a lot.....	5009	(*)
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162. Check No. 1232 dated August 8, 1956, payable to Joseph Bulger, attorney for fund 96 issued by Food and Beverage Drivers No. 337, in the amount of \$134,317.79.....	5042	5279
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167. Check No. 2802 dated December 30, 1952, payable to Wholesale Producers Business Association issued by Food and Beverage Drivers Union No. 337 in the amount of \$500.....	5086	5283
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169. Letter dated June 9, 1957, to political action committee, Michigan Conference of Teamsters, and signed by John L. Cowling, national secretary and director of public relations acknowledging receipt of check.....	5087	5285
170. Check No. 4161 dated September 15, 1953, payable to joint council No. 43 issued by Food and Beverage Drivers No. 337 in the amount of \$5,000.....	5135	5286
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INVESTIGATION OF IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

TUESDAY, AUGUST 20, 1957

UNITED STATES SENATE,
SELECT COMMITTEE ON IMPROPER ACTIVITIES
IN THE LABOR OR MANAGEMENT FIELD,

Washington, D. C.

The select committee met at 10:30 a. m., pursuant to Senate Resolution 74, agreed to January 30, 1957, in the caucus room, Senate Office Building, Senator John L. McClellan (chairman of the select committee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Irving M. Ives, Republican, New York; Senator John F. Kennedy, Democrat, Massachusetts; Senator Pat McNamara, Democrat, Michigan; Senator Sam J. Ervin, Jr., Democrat, North Carolina; Senator Karl E. Mundt, Republican, South Dakota; Senator Barry Goldwater, Republican, Arizona; Senator Carl T. Curtis, Republican, Nebraska.

Also present: Robert F. Kennedy, chief counsel; Jerome S. Adlerman, chief assistant counsel; Paul J. Tierney, assistant counsel; Robert E. Dunne, assistant counsel; John Cye Cheasty, assistant counsel; Walter R. May, assistant counsel; Walter Sheridan, assistant counsel; K. Philip O'Donnell, assistant counsel; Carmine S. Bellino, accounting consultant; Pierre E. G. Salinger, investigator; James Mundie, investigator; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the session were: Senators McClellan, Ives, Kennedy, McNamara, Ervin, Mundt, and Goldwater.)

The CHAIRMAN. The Chair observes that we have quite an audience this morning. You are welcome, but we must maintain order and bear that in mind. Be as comfortable as you can. This hearing will last possibly until 12 or 12:30 this morning.

Is there anything at this time, Mr. Counsel?

Mr. KENNEDY. No, sir.

The CHAIRMAN. Mr. Hoffa, will you be sworn, please?

You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOFFA. Yes; I do.

**TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL,
GEORGE S. FITZGERALD**

The CHAIRMAN. Mr. Hoffa, state your name——

Mr. FITZGERALD. Mr. Chairman——

The CHAIRMAN. The Chair will recognize you in a moment.

State your name, your place of residence, and your business or occupation, please, sir.

Mr. HOFFA. My name is James R. Hoffa. I am a business representative and a vice president of the International Brotherhood of Teamsters.

The CHAIRMAN. Mr. Hoffa, you failed to give your address.

Mr. HOFFA. 16154 Robson, Detroit, Mich.

The CHAIRMAN. You have counsel to represent you?

Mr. HOFFA. Yes, sir, I do; George S. Fitzgerald, from Detroit.

The CHAIRMAN. Mr. Counsel, will you identify yourself for the record?

Mr. FITZGERALD. My name is George S. Fitzgerald, of Detroit, Mich., 2550 Guardian Building.

The CHAIRMAN. Thank you very much.

Mr. Hoffa, the Chair received a wire from you dated August 17, in which you stated that you had a preliminary statement that you would like to make.

Mr. HOFFA. Yes, sir, I do, and with your permission I would like to read it in the record.

The CHAIRMAN. The Chair may say to other members of the committee, as I understand it, your statement is quoted in full in the telegram you sent the Chair.

Mr. HOFFA. That is correct.

The CHAIRMAN. The Chair has examined it, and I see no objection to the statement being read.

Mr. FITZGERALD. May I say one word, Mr. Chairman? Now, if the photographers in front of us desire to take all of the pictures now, that is perfectly agreeable to Mr. Hoffa. However, as his testimony starts, we would ask that the picture taking stop so that there will be no diverting of his attention from the question.

The CHAIRMAN. You are speaking of the photographers in front of you?

Mr. FITZGERALD. The photographers here in front of us.

The CHAIRMAN. That request will be granted, and the photographers will be governed accordingly.

Now let me see, so that there will be no misunderstanding later, you do not want any pictures snapped from any angle while you are testifying?

Mr. HOFFA. I don't have any particular objection as long as they are not directly in front of me, where I will not be able to concentrate on what the Senators want to know.

The CHAIRMAN. We had a little misunderstanding with the photographers yesterday about that, and I wanted to settle it early in the hearings this morning. I am sure that the photographers understand, and if you want any pictures now, get them before we begin. Otherwise, move around to the side.

Now, gentlemen, we don't want you in line between the vision of the Senators and the witness. Get your position and get comfortable, and let us all relax, and we will proceed.

Is it all right now?

Mr. HOFFA. Yes, sir; it is all right.

The CHAIRMAN. All right, Mr. Hoffa, you may read your statement.

Mr. HOFFA. Hon. John L. McClellan, chairman of the Select Committee on Improper Activities in the Labor or Management Field, Senate Office Building, Washington, D. C.

In accordance with paragraph 7 of the rules of procedure of the Select Committee on Labor and Management Activities, I desire to file with you a statement which I may read to you when I am called as a witness before your committee, and the statement reads as follows.

In accordance with the rules of the select committee, I filed the following statement. Now with the permission of the committee I will read it for the purpose of the record.

Apparently I will be called upon to answer questions relating to certain situations and events affecting individuals and groups of individuals which occurred over a considerable span of time. I have attempted to refresh my recollection with respect to many phases of my labor activities since I received the subpoena of this committee. My testimony here in all particulars will be based upon my best recollection of a situation or event the moment I testify. I reserve within reason the right to amend or revise my testimony where accuracy requires it.

With this in mind I respectfully request the right to review a transcript of my testimony after it is concluded and to make any corrections, amendments, additions, or revisions that are proper and necessary.

I further reserve the right to refuse to answer any questions which relate to matters outside the scope of the committee's authority, or which are not related to a proper legislative purpose, or which are not pertinent to this inquiry.

If I, through inadvertence, answer questions with respect to matters which are subject to the above objections, my answers should not be considered a waiver of such objections.

Signed by myself, James R. Hoffa.

The CHAIRMAN. Is there anything you wish to add to that statement?

Mr. HOFFA. No, sir. The last paragraph was placed in there after considerable discussion. Not having the benefit of knowing the exact phases of this investigation or knowing the questions that would be proposed, I believe that it will be necessary for me to have such a right, not having the previous knowledge that I mentioned.

The CHAIRMAN. The Chair will make an observation which may be regarded as a tentative ruling by the Chair.

With respect to your stating that you will testify to the best of your recollection at the moment, at the time that you testify, that of course is possibly all that can be expected of any witness, unless we are able to refresh your memory a little and thus help you to recall some things.

Then with respect to reviewing a transcript of your testimony, this testimony is being taken in public session, and a transcript of it, of course, is available to you if you desire to purchase it from the re-

porter, and a copy of it, of course, will be kept on file in the committee as a permanent record.

With respect to changing the transcript of your testimony, or changing the testimony you give by revising the transcript, the Chair will say that these transcripts are edited by a member of the staff for technical errors and so forth, before they are printed as a permanent record. Testimony, however, given under oath by a witness cannot be changed except that the witness return to the witness stand and under oath make the change himself.

At that time, of course, he will be subject to further cross-examination.

So you will have the opportunity to see a transcript, and of course, under the rules, you can acquire one for your own use if you desire it.

Now, with respect to the other matters, your reserving the right to decline to answer questions which relate to matters outside the scope of the committee's authority or which do not relate to proper legislative purpose or which are not pertinent to the inquiry. Of course, you will have to risk your judgment and the advice of your counsel on that. As to questions asked you, if the Chair and the committee rule the questions to be pertinent, and rule them to be within the scope of the inquiry and authority and jurisdiction of this committee, then you will have to make the decision as to whether you will answer or refuse to answer, and of course you have the right to have advice of your counsel on that issue.

I hope no such issue will arise. If it does, we will proceed accordingly.

Are there any questions or comments by the members of the committee?

Senator IVES. Mr. Chairman, I simply would like to point out this matter was discussed with the committee in executive session and we are all in agreement with the position you take.

The CHAIRMAN. Thank you very much.

All right, Mr. Counsel, you may proceed with the witness.

Mr. KENNEDY. Mr. Hoffa, you have been in the teamsters union for how long?

Mr. HOFFA. In the teamsters union since approximately 1932.

Mr. KENNEDY. And you were a president of a local at that time?

Mr. HOFFA. I was president of a local union, and I don't know whether it was local 32 or 34. I became president of a local union which was the Commission House Local Union which originated out of a Federal labor union.

Mr. KENNEDY. Is that local 299?

Mr. HOFFA. No, it is not. I think it was 674, but don't hold me to the number.

Mr. KENNEDY. Did it merge with 299?

Mr. HOFFA. No. 299 was a separate contract that had over-the-road drivers, city cartage, and dock employees, and I was requested by the then secretary of the council through the international office to take over the operations of local 299 shortly thereafter.

Mr. KENNEDY. When did you become president or head of 299?

Mr. HOFFA. Under trusteeship somewhere between 1932 and 1934, or 1935, somewhere around there.

Mr. KENNEDY. Do you still hold a position with that union?

Mr. HOFFA. Yes, I was first appointed and then I have been elected several times since then.

Mr. KENNEDY. Are you president of it?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Now, do you hold some other positions with the teamsters union at the present time?

Mr. HOFFA. Yes, sir; I do.

Mr. KENNEDY. Could you tell us what they are?

Mr. HOFFA. Do you want them all, or the pertinent ones?

Mr. KENNEDY. You are chairman of the negotiating committee?

Mr. HOFFA. I will give you the main ones and if you want more I will give them to you also.

I am president of Joint Council 43, City of Detroit.

I am president of Michigan Conference of Teamsters.

I am president of the central conference of teamsters; chairman and president.

I am vice president and negotiating chairman of the Central States Drivers Council.

I am the coordinator of the Montgomery Ward national organizing drive.

I am vice president of the international union.

From time to time I have had several other designations, as assignments were given to me by the general president.

Mr. KENNEDY. Since you have been with the teamsters union, you have been arrested a number of times: have you?

Mr. HOFFA. That is correct.

Mr. KENNEDY. How many times, approximately, do you think?

Mr. HOFFA. Well, I don't know, Bob. I haven't counted them up. I think maybe about 17 times I have been picked up, took into custody of the police, and out of the 17 times, 3 of those times—in many instances these were dismissed—but in 3 of those times I received convictions.

Mr. KENNEDY. Now, the first one was in 1940; was it?

Mr. HOFFA. I believe that was an assault and battery; is that correct?

Mr. KENNEDY. That is not the one I was thinking of.

Mr. HOFFA. I am talking about the ones where I was simply taken off of a picket line because of a disagreement with some so-called policeman of authority without any legal authority. I haven't kept track of those.

Mr. KENNEDY. But there are about 17 in all and you think you have been convicted on 3?

Mr. HOFFA. I think you have the record, and you can count them.

Mr. KENNEDY. Then there was a violation of the Federal antitrust law.

Mr. HOFFA. There was indeed. But I want to point out that the violation of the Federal antitrust law resulted out of an organizing drive of wastepaper drivers in the city of Detroit. The result was that Thurman Arnold at that time was trying to interpret the law different than it is today, and we became involved with some employers of a small nature who refused to cooperate and attempt to establish decent wages and conditions for our members.

Mr. KENNEDY. There was a charge that you knowingly engaged in a combination and conspiracy unreasonable to prevent other firms

from selling wastepaper for shipment from Detroit and other States into Canada, wasn't that it?

Mr. HOFFA. It was settled on the basis of nolo contendere with a fine and probation, I believe.

Mr. KENNEDY. There was a charge of a conspiracy between you, the union——

Mr. HOFFA. I want to correct the probation. There was just a fine originated out of that particular case, and strictly involved the question of labor.

Mr. KENNEDY. A conspiracy between you or the union and certain wastepaper companies; is that correct?

Mr. HOFFA. It was so charged.

Mr. KENNEDY. And it was nolo contendere?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And you paid a \$1,000 fine?

Mr. HOFFA. Yes.

Mr. KENNEDY. And then you were indicted in 1946, isn't that right, and convicted on a charge then?

Mr. HOFFA. For what purpose?

Mr. KENNEDY. In connection with grocers and meat dealers in Detroit.

Mr. HOFFA. I was charged in a particular grand jury with a very serious charge.

Mr. KENNEDY. That was of extortion?

Mr. HOFFA. That is correct. The extortion charge was a question of refusing to load nonunion individual owners who had taken jobs away from war veterans and refused to give those jobs back to the war veterans, because under OPA they had learned how to cheat on the question of paying the proper wage scales. Later on that was reduced to a simple misdemeanor of a Michigan State law known as the vine-trip law, and now the Michigan labor law.

Mr. KENNEDY. You entered a plea on that?

Mr. HOFFA. That is correct; a misdemeanor plea.

Mr. KENNEDY. And nolo contendere?

Mr. HOFFA. No, a misdemeanor plea.

Mr. KENNEDY. There was some money returned to the various companies, was there?

Mr. HOFFA. Moneys that we returned were the moneys that were collected in the way of initiation fees that had been paid by those individuals that made the complaint.

Mr. KENNEDY. You were collecting \$5 from each one of these grocers, as I understand it.

Mr. HOFFA. That is not correct.

Mr. KENNEDY. Will you tell us?

Mr. HOFFA. We were collecting initiation fees from those grocers that were being entered into a ledger for the purpose of having initiation fees paid where they could have a paid-up book in the teamsters union.

Mr. KENNEDY. And the court held that you shouldn't collect initiation fees.

Mr. HOFFA. The court didn't hold any such thing. The court held that we had violated the newly established State labor law, and since we had violated it, one of the agreements with the court was that we return the money. I may say for your information today that we

have the right to do legally today what they said we could not do legally then.

Mr. KENNEDY. You say you were collecting initiation fees and the court held that what you were doing was illegal?

Mr. HOFFA. The court held it was a violation of the Michigan labor law, but they did not hold, and if you would go into the case to look in all of the publicity, somebody had to save their face, so the result was that the court held it was a violation of a newly established law at that time, the Michigan State labor law.

Mr. KENNEDY. Mr. Hoffa, I am not saying whether you are guilty or not guilty. I am just trying to get—

Mr. HOFFA. You are implying that I am guilty of extortion and it isn't true.

Mr. KENNEDY. I asked you whether you were found guilty or whether you pleaded nolo contendere or whether you pleaded to a misdemeanor in 1946.

Mr. HOFFA. I have answered the question.

Mr. KENNEDY. And that you had to return the money that you were collecting from these various grocers.

Mr. HOFFA. I have answered the question.

Mr. KENNEDY. Approximately \$7,500; is that right; that you had to return?

Mr. HOFFA. Approximately.

Mr. KENNEDY. Now, in addition to these—

Mr. HOFFA. I think maybe a little more.

Mr. KENNEDY. Was it?

Mr. HOFFA. Yes.

Mr. KENNEDY. In addition to these matters, Mr. Hoffa, in addition to your interest in the union, you have also had some business interests; have you?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Would you tell us a little bit about those? How many different businesses have you been in, do you think?

(The witness conferred with his counsel.)

Mr. HOFFA. I think I have it here, if you will wait a minute.

You were sent a letter on February 8, 1957, at your request. Is it necessary to read that letter?

Mr. KENNEDY. I don't think so, and maybe I can just ask you about some of those businesses.

Mr. HOFFA. All right.

Mr. KENNEDY. Now, I would like to start off, maybe, with the J & H Sales Co. That is a business in which you had some interest, or your family did?

Mr. HOFFA. That is correct.

Mr. KENNEDY. The J & H Sales Co., is that correct?

Mr. HOFFA. That is correct.

Mr. KENNEDY. When did you get into that business?

Mr. HOFFA. Well now, you are asking me dates, and we have a problem.

Mr. KENNEDY. Approximately when.

Mr. HOFFA. I will try to give it to you in just a moment.

I understand from my counsel that you requested 1950, and apparently that information was prior to 1950, so I haven't got the information with me—only since 1950.

However, I can very easily tell you what it was, and if you want the dates I can establish it again by letter for you.

Mr. KENNEDY. Would you do that? Just tell us what that company was.

Mr. HOFFA. It was a company dealing in the question of leasing equipment to a truckaway company that delivers automobiles other than on their own power.

Mr. KENNEDY. What does leasing equipment mean? What do you mean by that?

Mr. HOFFA. A tractor or a trailer is leased to a company who has ICC permits, for the purpose of delivering automobiles over their certificated routes.

Mr. KENNEDY. And you own some tractors and trailers and you lease them out?

Mr. HOFFA. I think there was one of that particular instance, of that company, if I am not mistaken, and later on there was more in the second company.

Mr. KENNEDY. Now, to whom did you lease that equipment?

Mr. HOFFA. I believe it was Baker Driveway.

Mr. KENNEDY. And who owned Baker Driveway at this time?

Mr. HOFFA. Bill Baker. Or Bill Bridge owned it.

Mr. KENNEDY. Bill Bridge?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And what is Mr. Bridges business?

Mr. HOFFA. As I explained, he has an ICC certificate that permits him to deliver automobiles and other commodities in a certified area.

Mr. KENNEDY. And does he have the teamsters driving the trucks?

Mr. HOFFA. He does.

Mr. KENNEDY. He has bargaining relationships with the teamsters.

Mr. HOFFA. He does.

Mr. KENNEDY. And you had some equipment that you were leasing to him: is that right?

Mr. HOFFA. At that time I believe we had one piece of equipment. That is correct, and I may say, also, that the majority of the equipment of that company was individually owned by those persons who supplied the power.

Mr. KENNEDY. Now, that business was in your name; was it?

Mr. HOFFA. At that time I believe it was.

Mr. KENNEDY. Was it always in your name?

Mr. HOFFA. What is that?

Mr. KENNEDY. Was it always in your name?

Mr. HOFFA. I don't think so.

Mr. KENNEDY. Who else's name?

Mr. HOFFA. I think maybe, and I don't want to be held to this because you didn't ask me to bring it and so I am now giving you my best recollection; I think maybe in the name of James Montan.

Mr. KENNEDY. That is when it was originally set up. Who was James Montan?

Mr. HOFFA. An attorney.

Mr. KENNEDY. An attorney working for the teamsters?

Mr. HOFFA. No, he was not.

Mr. KENNEDY. Who was he working for?

Mr. HOFFA. Myself?

MR. KENNEDY. You paid him yourself?

MR. HOFFA. I don't think that I paid him. I think that Jim and I are friends enough and he simply drew some papers.

MR. KENNEDY. The company was owned in his name?

MR. HOFFA. No, I think the stock certificates were issued temporarily to him, and then it was transferred to us.

MR. KENNEDY. To you?

MR. HOFFA. To myself and Bert Brennan.

MR. KENNEDY. Was it in your name then?

MR. HOFFA. Well, it would be necessarily if the stock was transferred to me.

MR. KENNEDY. Except if it was transferred to your wife's name.

MR. HOFFA. Not at that time.

MR. KENNEDY. Well, subsequently was it transferred to your wife?

MR. HOFFA. In a different company, and I don't think J & H was.

MR. KENNEDY. I believe that the record shows that it was transferred. This stock was transferred to Alice Johnson, and Josephine Poszywak.

MR. HOFFA. I think that you are wrong. I think in the J & H it was to myself, and I think that you will find that National Trailer Sales, or National Equipment, I guess it was, is the one that you are talking about. J & H had a very short life.

MR. KENNEDY. Who succeeded J & H?

MR. HOFFA. I think National Equipment.

MR. KENNEDY. And that stock was in whose name?

MR. HOFFA. In my wife's maiden name.

MR. KENNEDY. In your wife's maiden name?

MR. HOFFA. That is correct.

MR. KENNEDY. So, it went from Montan to your name and then to your wife's maiden name?

MR. HOFFA. I believe that is the way it happened. Now, if you want the information, if you will check the Congressional Record of 1953 by Congressman Hoffman, you can get the data that was supplied after we had time for some research.

MR. KENNEDY. Was it just in your wife's maiden name, and was it in any other name?

MR. HOFFA. The stock that my wife held was in her maiden name.

MR. KENNEDY. Did anybody else have an interest in the company?

MR. HOFFA. Yes, sir.

MR. KENNEDY. Who else had an interest?

MR. HOFFA. Alice Johnson, which is Mrs. Bert Brennan; in her name.

MR. KENNEDY. In her maiden name, also?

MR. HOFFA. That is correct.

MR. KENNEDY. Who was Bert Brennan?

MR. HOFFA. Bert Brennan is my associate, the President of local union 337.

MR. KENNEDY. What was National Equipment Co.?

MR. HOFFA. National Equipment Co., again, was a question of leasing, I believe, either tractors or trailers, one or the other, or both, and I am not sure at this moment, to the Baker Driveway Co.

MR. KENNEDY. That was the same company that you were leasing your equipment from J & H to?

Mr. HOFFA. That is right.

Mr. KENNEDY. From the sales company to Baker Driveway?

Mr. HOFFA. That is right.

Mr. KENNEDY. Did anybody at that time, did anybody else own Baker Driveway, other than the gentleman you have mentioned before, Mr. Bridge?

Mr. HOFFA. I think there was C. D. Matheson.

Mr. KENNEDY. Mr. Carney Matheson?

Mr. HOFFA. He had some stock in the company, and what amount, I don't know.

Mr. KENNEDY. Who is Mr. Carney Matheson?

Mr. HOFFA. He is an attorney at law.

Mr. KENNEDY. Whom does he represent; unions?

Mr. HOFFA. He represents the trucking industry.

Mr. KENNEDY. He represents the trucking industry?

Mr. HOFFA. In regard to the National Automobile Haulaway Transport business, and also he represents some common carriers and he has other general law practice.

Mr. KENNEDY. And he also has an ownership of some companies?

Mr. HOFFA. I don't think so.

Mr. KENNEDY. In Baker Driveway?

Mr. HOFFA. He had some minority stock.

Mr. KENNEDY. And does he represent these truckers with the teamsters union?

Mr. HOFFA. He is an attorney for the truckers.

Mr. KENNEDY. And he represents them in their negotiations with the teamsters union?

Mr. HOFFA. Occasionally, if he is on the committee.

Mr. KENNEDY. And so, J. & H. Sales Co. became National Equipment Co., and the National Equipment Co. was owned in your wife's maiden name, and in Bert Brennan's wife's maiden name, and they leased equipment to Baker Driveway, which was owned by Mr. Bridge, a truckowner, and by Mr. Carney Matheson, who did the negotiating for the truckers with the teamsters.

Mr. HOFFA. I think that there were more individuals than those two particular people stockholders, and, not knowing all of the stockholders, I don't want to qualify on that point.

Mr. KENNEDY. Who set up National Equipment Co. for you?

Mr. HOFFA. Well, I think Albert Matheson was the one who set up the corporation papers.

Mr. KENNEDY. Who is Albert Matheson?

Mr. HOFFA. Brother of C. D. Matheson.

Mr. KENNEDY. That is, brother of Carney Matheson, who does the negotiating for the truckers with the teamsters?

Mr. HOFFA. That is right.

Mr. KENNEDY. And he set you up in business in National Equipment Co.?

Mr. HOFFA. He didn't set me up in business at all. He simply drafted some necessary legal papers for the corporation to be formed, and I set myself up in business.

Mr. KENNEDY. You transferred your one piece of equipment over from J. & H. Sales.

Mr. HOFFA. I don't know. I don't know at this moment. It seems to me that the one piece of equipment went somewhere else and, if I remember correctly, there was some additional equipment that was purchased for National Equipment, and I am not quite sure at this moment.

Mr. KENNEDY. How did you purchase the equipment or trucks for National Equipment?

Mr. HOFFA. I believe they were International trucks, and they must have come through the International people.

Mr. KENNEDY. What do you mean, "International trucks"?

Mr. HOFFA. International trucks, the manufacturer of International.

Mr. KENNEDY. You purchased them from them?

Mr. HOFFA. They were purchased, and I don't know exactly who purchased the trucks; probably, my partner.

Mr. KENNEDY. Who is your partner?

Mr. HOFFA. Bert Brennan, for his wife.

Mr. KENNEDY. What is his position, again?

Mr. HOFFA. He is president of local union 337.

Mr. KENNEDY. With whom do they have bargaining relationships?

Mr. HOFFA. With the wholesale grocers, warehousemen, and various other people.

Mr. KENNEDY. You think he is the one who got the trucks?

Mr. HOFFA. I think he made the arrangement, and I don't recall offhand. It is quite a while ago.

Mr. KENNEDY. Where did he get the money to get the trucks?

Mr. HOFFA. From a bank.

Mr. KENNEDY. He borrowed the money?

Mr. HOFFA. I believe we did.

Mr. KENNEDY. Did anybody guarantee that loan?

Mr. HOFFA. Offhand, I don't know, at this moment.

Mr. KENNEDY. So we are in National Equipment Co. now, and that remained in existence, did it?

Mr. HOFFA. For a short space of time, I believe, and I don't think that it operated too long.

Mr. KENNEDY. Did you sell National Equipment?

Mr. HOFFA. Yes; we did.

Mr. KENNEDY. Whom did you sell National Equipment to?

Mr. HOFFA. We sold it to Bill Bridge, I believe.

Mr. KENNEDY. Did you sell it to Convertible Equipment Leasing Co.?

Mr. HOFFA. Well, now, it could have been a subsidiary, but I think that you will find somewhere in the picture that Bridge was behind there, and I don't know exactly who bought it.

Mr. KENNEDY. And who else was behind there?

Mr. HOFFA. I could give you the information, if you want it.

Mr. KENNEDY. Well, was Mr. Matheson also interested in buying National Equipment Co.?

Mr. HOFFA. I wouldn't want to hazard a guess.

Mr. KENNEDY. How much money did you receive for that company?

Mr. HOFFA. I think, and not being held to it again, I think maybe \$10,000.

Mr. KENNEDY. So, Mr. Bridge—

Mr. HOFFA. For our equity.

Mr. KENNEDY. Excuse me?

Mr. HOFFA. \$10,000 for our equity in the equipment that we had.

Mr. KENNEDY. And Mr. Bridge paid \$10,000, or his associates paid \$10,000, for National Equipment Co.?

Mr. HOFFA. No.

Mr. KENNEDY. For the equity?

Mr. HOFFA. I think, and, again, I am not going to be held to the question, because you didn't ask me to bring it here—

Mr. KENNEDY. Well, now, we had better get down to that. I think that I spoke to Mr. Fitzgerald on Friday, and I said we would go back to 1948 and I was interested in your businesses. The question of whether we asked that you bring it here, I think that I spoke to Mr. Fitzgerald and asked that you bring all of the information, at least from 1948. Now, you are doing very well as it is, and so we can go along, and I don't want to get into a dispute about it.

Mr. HOFFA. I would say that the information that you are securing can be secured, and I assume you have the records of the Hoffman hearings. It is in the Hoffman hearings records.

Mr. KENNEDY. We find it is rather incomplete and that is why I would like to get as much as I can.

Mr. HOFFA. I have the record and if you want me to bring them over this afternoon, I will bring back the volume that you are looking for.

Mr. KENNEDY. Maybe you could just go on. You are doing very well, and maybe you could answer some more of these questions. So you sold National Equipment Co. to Mr. Bridge, the trucker, for \$10,000.

Did you get into any other of this kind of business after that?

Mr. HOFFA. That is right. There was a company originated known as Test Fleet for my wife and Bert Brennan's wife.

Mr. KENNEDY. Now, Test Fleet is the name?

Mr. HOFFA. That is correct.

Mr. KENNEDY. That sort of succeeded National Equipment?

Mr. HOFFA. No, Test Fleet was a different concern and leased equipment to a different concern.

Mr. KENNEDY. About when was that formed, Test Fleet?

Mr. HOFFA. In 1949.

Mr. KENNEDY. How was that set up?

Mr. HOFFA. Again, it was a question of leasing equipment to a company without drivers for the purpose of pulling their trailers, and the delivery of automobiles throughout their certificated territory.

Mr. KENNEDY. So what did you do?

Mr. HOFFA. What is that?

Mr. KENNEDY. What did you do? It was a question of doing this, so what did you do? Did you decide you were the man to do it?

Mr. HOFFA. I don't think I did anything personally. I think Bert Brennan handled the details for his wife and my wife through an attorney named James Wrape.

Mr. KENNEDY. Who was James Wrape?

Mr. HOFFA. James Wrape was an attorney, I believe, operating out of St. Louis, Mo.

Mr. KENNEDY. For whom was he attorney?

Mr. HOFFA. He was an attorney for a truck company.

Mr. KENNEDY. He was an attorney for a truck company?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Specifically was he the attorney for Commercial Carriers?

Mr. HOFFA. That is right.

Mr. KENNEDY. Who owned Commercial Carriers?

Mr. HOFFA. Walter Brennan and Bert Beveridge.

Mr. KENNEDY. And Mr. Beveridge had difficulty with your union or one of the unions, did he?

Mr. HOFFA. He didn't have difficulty.

Mr. KENNEDY. Was there a strike called?

Mr. HOFFA. There was a strike called.

Mr. KENNEDY. Did you go up with Mr. Beveridge to try to settle the strike?

Mr. HOFFA. I went up without Mr. Beveridge to settle the strike to avoid a very serious lawsuit against our union and against the members who were involved in the lawsuit.

Mr. KENNEDY. These people who were involved, they owned their own equipment, did they?

Mr. HOFFA. What is that?

Mr. KENNEDY. These members of the union that were having the difficulty with Mr. Beveridge, they owned their own equipment and they were losing it to Commercial Carriers?

Mr. HOFFA. Not at that time.

Mr. KENNEDY. Had they in the past?

Mr. HOFFA. That is right.

Mr. KENNEDY. They had leased their equipment and now they were striking against Commercial Carriers?

Mr. HOFFA. So we don't have any mystery out of this situation, do you want the proper explanation?

Mr. KENNEDY. You would rather give it in your own words?

Mr. HOFFA. I think you will be more complete if I give it to you the way it happened rather than rumor.

Mr. KENNEDY. I was just asking you a question, I am not trying to get rumor.

Mr. HOFFA. To the best of my recollection, this is what happened; that in Flint, Mich., Commercial Carriers during the war almost had a termination of business because of the plants going into war material. After the war was over, they went back into the production of automobiles, and the company prior to that time had some individual owners and, I believe, some company equipment. They deemed it advisable to have all company-owned equipment. The company notified the individual broker, according to his contractual relationship, of a termination.

The men protested of the termination and the company took the position that under their ICC authority, they had a right to operate their business on the basis that the certificate gave them the right to operate. When they placed their equipment, their company equipment, on the job, it was with the full understanding and knowledge

that the men would receive their full seniority rights as company drivers, and that they would also receive the prevailing wage scale of the drivers on an areawide contract, not an individual companywide agreement.

There is certain individuals who protested the fact that the company was going to go into their own company-owned equipment.

There were meetings called by the local unions. The matter was discussed with the attorneys, and they were advised, and the union was advised, that under the law the company had a right to place its own equipment operations into effect. The question was settled, the men went to work, and, if my memory serves me right, maybe in 30, 60, or 90 days, I don't know which, somebody generated a strike.

When they generated the strike, they were called into a meeting and told, so I am told—I wasn't at those meetings but I had reports from them—that it was an illegal strike and they should go back to work. They refused to go to work. It then became my problem as the National Truck-Away Drive-Away chairman to go into that situation.

I went into the situation and advised the people that it was an illegal strike, advised the possibilities or the penalties under the Taft-Hartley law, that you gentlemen passed, and at that time they still refused.

I invited the company representatives to come up to Flint, sit down with a committee of drivers, and we finally arrived at a settlement.

In the meantime, though, the company got very hostile, and knowing they had a legal position which we couldn't probably beat in court, took a position they wouldn't hire the men unless they went back without seniority.

After extended negotiations, we did get the company to agree to put them back to work with this proviso: That after 60 days, if there was no more illegal strikes, the men who went to work would receive retroactively all other combined seniority rights which protected their fringe benefits and their right to work or be laid off.

Certain individuals, I believe 6 or 7, I am not sure of the number, decided they were not going to comply, and established a picket line, a picket line which everybody knew was for the purpose of trying to force the company to hire outside equipment rather than their own equipment.

They were advised, I am told by their own lawyers, that they were placing themselves in jeopardy. The company took the position that since the men would not return to work that they were not employees of the company.

Since then, they have appealed to the courts, they have appealed to the National Labor Relations Board, the Michigan Unemployment Commission, and in each instance a strike has been ruled as an illegal strike and the men's claims have been rejected.

Mr. KENNEDY. You say "this company." We'd better get back to the name of the company. You say this company became hostile, is that right?

Mr. HOFFA. The management.

Mr. KENNEDY. Who was the management?

Mr. HOFFA. Beveridge.

Mr. KENNEDY. Bert Beveridge. Who represents Commercial Carriers? Who is their attorney?

Mr. HOFFA. I think Wrape.

Mr. KENNEDY. Mr. Wrape?

Mr. HOFFA. I think.

Mr. KENNEDY. Did Mr. Carney Matheson represent them, also?

Mr. HOFFA. At that time I think Matheson only represented the association. I don't think he represented the company, personally, to the best of my recollection.

Mr. KENNEDY. Subsequently, did you learn that he did represent the company?

Mr. HOFFA. I haven't inquired into it.

Mr. KENNEDY. You don't know that?

Mr. HOFFA. Not offhand; no.

Mr. KENNEDY. You have no information that he ever represented Commercial Carriers?

Mr. HOFFA. I may have had, but I don't remember at this moment. It wasn't of any value.

Mr. KENNEDY. I see. But, anyway, Mr. Wrape represented Commercial Carriers. They were getting hostile—

Mr. HOFFA. I said I believe that Jim Wrape represented them. I can only do it from recollection.

Mr. KENNEDY. And they had decided that they would own their own equipment?

Mr. HOFFA. They would have drivers driving equipment not owned by the drivers. Let's put it that way.

Mr. KENNEDY. Would you repeat that?

Mr. HOFFA. They would have equipment operated by drivers that did not own the equipment.

Mr. KENNEDY. I see. So, following that, following the difficulties that these union members had with this company, do you say that Test Fleet was set up?

Mr. HOFFA. I did not.

Mr. KENNEDY. Was Test Fleet set up subsequently?

Mr. HOFFA. Later on, when the company decided that they would have fleet equipment rather than own and lay out the investment for all of their own equipment, Brennan discussed the question with Beveridge and then brought it to my attention.

Mr. KENNEDY. He was less hostile by this time, was he?

Mr. HOFFA. Well, now, I don't know if he was or he wasn't, but at least his strike was over.

Mr. KENNEDY. O. K.

Mr. HOFFA. And the result was that, since he was looking for individuals to invest their money in equipment, my wife and Brennan's wife became engaged in the question of leasing equipment under the name of Test Fleet.

Mr. KENNEDY. Who set up that company?

Mr. HOFFA. Offhand, I can't tell you, but I think it was Wrape. I am guessing now.

Mr. KENNEDY. Didn't he also become the first president?

Mr. HOFFA. I think maybe he did, on a temporary basis.

Mr. KENNEDY. So, the attorney for the Commercial Carriers, whose management had been hostile originally, sets up a company and

became the first president, in the name of your wife, in her maiden name, and also Bert Brennan's wife's maiden name; is that right?

Mr. HOFFA. When you talk about hostile, let's straighten the record out. We don't normally have hostile employers in our business. We normally have very good labor relations. But the best employer, when he has an illegal strike, becomes rather agitated, let's say, to the least, and in this particular instance he was agitated because his equipment wasn't operating, and it didn't make him any less a better employer than he was previously, because he was not reneging on paying the prevailing scales, nor was he attempting to take any condition away from the men.

Mr. KENNEDY. He got less agitated when his attorney came and had a conversation with Bert Brennan and suggested that you people set up a company to lease equipment to Commercial Carriers.

Mr. HOFFA. Of course, that is what you are guessing, and you know that it isn't true.

Mr. KENNEDY. I thought you said Bert Brennan and he had a conversation.

Mr. HOFFA. I did not say he became less agitated. I said that they had a conversation and Beveridge asked Brennan, to my information, as to whether or not he was desirous of putting equipment on as a fleet operation without truckdrivers.

Mr. KENNEDY. Well, I would think that would indicate that he was less agitated then, when he came and approached—

Mr. HOFFA. Well, you can think what you want. Whether or not it is right or not, you weren't there. You don't know the circumstances. I do.

Mr. KENNEDY. Will you say whether he was less agitated then or not?

Mr. HOFFA. I would say, when a strike is not in effect, everybody is less agitated, Senator.

The CHAIRMAN. Then he was less agitated.

Mr. HOFFA. When a strike is not in effect.

Mr. KENNEDY. He came to the head of the Michigan Conference of Teamsters—you are president of joint council 43, the chairman of the negotiating committee—and also to Bert Brennan, who was head of local 337, and he came to them, the attorney for commercial carriers, and suggested you set up a company and you lease the equipment?

Mr. HOFFA. That isn't the testimony I just gave you.

Mr. KENNEDY. Well, then, you tell me all over again what Mr. Brennan said to Mr. Beveridge.

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I would say this to you, Mr. Kennedy: that I am here to assist, rather than argue, and I gave you, to the best of my recollection, a factual background of what happened in this particular dispute. I think I have answered your question. It is a matter, now, of record.

Mr. KENNEDY. All right. So Mr. Bert Beveridge had a conversation with Mr. Bert Brennan, president of local 337, and Mr. Brennan—did Mr. Brennan speak to you about it then?

Mr. HOFFA. He certainly did.

Mr. KENNEDY. And at that time you were head of the Michigan Conference of Teamsters?

Mr. HOFFA. That is correct.

Mr. KENNEDY. And you were chairman of the negotiating committee of the Central States Drivers Council?

Mr. HOFFA. That is correct.

Mr. KENNEDY. And you were president of local 289?

Mr. HOFFA. Let's go back again. You said I was president of the Michigan Conference of Teamsters and president of the Central Conference of Teamsters?

Mr. KENNEDY. I asked you.

Mr. HOFFA. That is what you said.

Mr. KENNEDY. Chairman of the negotiating committee of the Central States Drivers Council; is that right?

Mr. HOFFA. That is right, which had nothing to do with the question of negotiating this contract.

Mr. KENNEDY. Anyway, you had a fairly reasonably responsible position with the teamsters at the time in Michigan.

Mr. HOFFA. And I still do.

Mr. KENNEDY. And Mr. Beveridge came to Mr. Brennan and you, too, and then Mr. Brennan had a conversation with you, and the company was set up with Mr. Wrape, the attorney for Commercial Carriers, as the first president; is that right?

Mr. HOFFA. I believe that is right.

Mr. KENNEDY. Now, was that a Michigan company that was set up?

Mr. HOFFA. No; I don't believe so.

Mr. KENNEDY. Did you go out of the State to set the company up?

Mr. HOFFA. Well, I think that the record will have to speak for itself. I don't remember offhand.

Mr. KENNEDY. Do you think you might have gone down to Tennessee and set up a Tennessee corporation?

Mr. HOFFA. It is just possible it could happen.

Mr. KENNEDY. And Mr. Wrape, for the Commercial Carriers, was the first president; is that right?

Mr. HOFFA. He was for hire. He was an attorney.

Mr. KENNEDY. Who paid him?

Mr. HOFFA. I imagine that the——

Mr. KENNEDY. Commercial Carriers?

Mr. HOFFA. I don't believe so. I don't know for sure, but I imagine that, since he was president, he could have paid himself out of the first check that came from Test Fleet. I don't know offhand, Bob.

Mr. KENNEDY. You never paid him, yourself?

Mr. HOFFA. I didn't pay anybody in Test Fleet. Let's get this correct. I did not set up, nor did I run, nor did I have the stock, of Test Fleet, nor at any time did Test Fleet employ any drivers that came under the supervision of our organization, but, rather, that Commercial Carriers hired only power equipment and they, themselves, had the drivers driving the equipment under their supervision, their payroll, and a standard, areawide contract.

Mr. KENNEDY. The Commercial Carriers has a contract with the teamsters, have they?

Mr. HOFFA. They are part of an association areawide contract.

Mr. KENNEDY. And they are part of an association that has a contract with the teamsters, and teamsters drive——

Mr. HOFFA. I don't think they are, today. I think they were, at that time.

Mr. KENNEDY. The teamsters drive the trucks that you lease to them?

Mr. HOFFA. That is correct. Now, just a moment. Not that I lease. Let's correct the record.

Mr. KENNEDY. Test Fleet.

Mr. HOFFA. Not that I lease.

Mr. KENNEDY. Test Fleet.

Mr. HOFFA. Not that I lease.

Mr. KENNEDY. That is fine. Test Fleet?

Mr. HOFFA. Yes.

Mr. KENNEDY. The company was set up in the name of Mr. Wrape and then, I believe, the officers and the stockholders originally were a couple of the assistants, two of the attorneys from Mr. Wrape's office?

Mr. HOFFA. I think, maybe, you are right.

Mr. KENNEDY. Then the stock was transferred, was it, down to Tennessee?

Mr. HOFFA. I think you are right.

Mr. KENNEDY. Who was the stock transferred to?

Mr. HOFFA. Josephine Poszywak and Alice Johnson.

Mr. KENNEDY. Who is Poszywak?

Mr. HOFFA. My wife is Josephine Poszywak, and Alice Johnson is Bert Brennen's wife.

Mr. KENNEDY. You selected the maiden names of your wives?

Mr. HOFFA. The attorneys advised that.

Mr. KENNEDY. Why?

Mr. HOFFA. For the purpose of not involving them in the lawsuits that I become involved in as a labor representative.

Mr. KENNEDY. They thought it was better?

Mr. HOFFA. I think that was the explanation. I don't recall it, offhand.

Mr. KENNEDY. You got rid of your equipment, as I understand it, the trucks and trailers that you had from National Equipment Co. Did you have some difficulty getting trucks and trailers leased to Commercial Carriers?

Mr. HOFFA. You don't have any difficulty at any time buying trucks or trailers.

Mr. KENNEDY. Where did you get your trucks and trailers?

Mr. HOFFA. I got them through Commercial Carriers, at the same discount price everybody else gets them who has trucks working for Commercial Carriers.

Mr. KENNEDY. So, Commercial Carriers had this difficulty up in Pontiac, was it?

Mr. HOFFA. No; it was not. It was Flint.

Mr. KENNEDY. Flint, Mich. Their attorneys set this company up for your wife and for Bert Brennan's wife, and then they arranged to get the equipment for you, did they?

(The witness conferred with his counsel.)

Mr. HOFFA. Let's straighten the record out. I told you that Jim Wrape was an attorney. I think you are an attorney. It is my understanding an attorney can have more than one client. Because he represents a client other than the second client doesn't necessarily mean that you should refer to him as the client of the company. Rather, you should refer to him as the lawyer for Test Fleet.

Mr. KENNEDY. Did you ever pay him, Mr. Hoffa?

Mr. HOFFA. I, personally, did not pay him, and I don't know whether or not the corporation did.

Mr. KENNEDY. Did your wife pay him?

Mr. HOFFA. I don't know.

Mr. KENNEDY. Did Bert Brennan's wife pay him?

Mr. HOFFA. I don't know. I can get the information, if you desire it.

Mr. KENNEDY. So, you got the equipment from Commercial Carriers. How were you able to pay for the equipment?

Mr. HOFFA. Out of earnings, after the downpayment.

Mr. KENNEDY. Where did you get the downpayment?

Mr. HOFFA. I believe, if I am not mistaken—it is a matter again of recollection—that it came out of the sale of National Equipment.

Mr. KENNEDY. Dividend, I think, of National Equipment?

Mr. HOFFA. No; I think it was the sale, wasn't it? You must have it there. I don't remember, offhand.

Mr. KENNEDY. And National Equipment Co. had been sold to whom, again? The Convertible Leasing Co?

Mr. HOFFA. I don't remember, offhand, whether it was Convertible. You said it was, and I wouldn't quarrel with it until I check the record.

(The witness conferred with his counsel.)

Mr. KENNEDY. That was Carney Matheson Co.?

Mr. HOFFA. I don't believe you are right, but I will check it.

Mr. KENNEDY. I think our records show that the \$4,000 downpayment was from the dividend. That, actually, the \$10,000 you got for National Equipment Co. didn't come in until sometime later. The \$4,000 that was a downpayment for the trucks that you bought from Commercial Carriers came from a dividend that you had gotten on National Equipment Co.

Mr. HOFFA. I would say to you that, wherever it came from, it took care of the downpayment.

Mr. KENNEDY. Did you have to pay for these trucks right away, or did they give you a little time?

Mr. HOFFA. I don't know of anybody that has that much money that they can pay for trucks immediately. It is a general practice that you work out a long-term financing arrangement where you can pay for equipment out of earnings.

Mr. KENNEDY. You must have had some books and records that were kept by Commercial Carriers. Who kept your books and records?

Mr. HOFFA. A man by the name of Beidler, I understand, kept the records for the corporation; Beidler or Bidler. Beidler, I think maybe it was.

Mr. KENNEDY. Where were you able to locate Mr. Beidler? Was he in Tennessee?

Mr. HOFFA. No; he was in Detroit, I understand.

Mr. KENNEDY. Who was Mr. Beidler?

Mr. HOFFA. He was an accountant.

Mr. KENNEDY. Did he have any accounts, other than yours?

Mr. HOFFA. I assume he did.

Mr. KENNEDY. Did you also know that he was the accountant for Commercial Carriers?

Mr. HOFFA. I certainly did.

Mr. KENNEDY. Did Mr. Beidler, for his work, ever get paid out of Test Fleet?

Mr. HOFFA. I understand he did.

Mr. KENNEDY. Did he get paid the first year?

Mr. HOFFA. I understand he got some sort of a bonus, Mr. Kennedy, I don't know. You have the record. If that is what it is, that is what it is.

Mr. KENNEDY. But, for the first 3 years, all of his salary was paid out of Commercial Carriers, was it not?

Mr. HOFFA. I wouldn't say that is true.

Mr. KENNEDY. Do you know of any payment other than the \$150 bonus that was paid to Mr. Beidler?

Mr. HOFFA. I think that is sufficient, with 10 trucks for no more work than he would do.

Mr. KENNEDY. There was not much work?

Mr. HOFFA. There wasn't much work for 10 trucks.

Mr. KENNEDY. Do you have any other employees than Mr. Beidler?

Mr. HOFFA. Not to my knowledge. I have no information. I can't say for sure.

Mr. KENNEDY. How many pieces of equipment did you get from Commercial Carriers?

Mr. HOFFA. I didn't get any, but I believe that Test Fleet, to the best of my recollection and knowledge, got 10. They didn't get them from Commercial Carriers, either.

Mr. KENNEDY. Where did they get them?

Mr. HOFFA. They got them through Commercial Carriers' discount plan, as all other driver-owners did, and I believe that the banknotes were signed as any other company would sign banknotes for the mortgage.

Mr. KENNEDY. Who guaranteed the loan that you got from the bank?

Mr. HOFFA. I think, temporarily, Bert Beveridge did.

Mr. KENNEDY. And Bert Beveridge was the president of the Commercial Carriers?

Mr. HOFFA. That's right.

Mr. KENNEDY. He guaranteed the loan?

Mr. HOFFA. I don't think he guaranteed it. I simply think he said it would be a good investment.

Mr. KENNEDY. Didn't he also guarantee the loan made from the bank?

Mr. HOFFA. I don't think he signed it. I don't have that knowledge.

Mr. KENNEDY. Where did you get the loan?

Mr. HOFFA. I can't tell you, offhand. You must have the information. It was in the Hoffman hearings.

Mr. KENNEDY. Was it from a bank in St. Louis?

Mr. HOFFA. It could have been. I don't remember.

Mr. KENNEDY. Then, through Commercial Carriers, you got your trucks or got your equipment, and then you leased that equipment back to Commercial Carriers?

Mr. HOFFA. The tractors, as such; you are right.

Mr. KENNEDY. And, during this period of time, after you did that, it was not necessary to have any employees, as I understand.

Mr. HOFFA. The company supplied the employees, as was the original intention, so they could have better supervision and control of the operation and, if necessary, have more than one driver drive a piece of equipment in emergencies.

Mr. KENNEDY. Has this been a profitable operation?

Mr. HOFFA. You have the record. I think you could say that it was.

Mr. KENNEDY. Well, I am asking you the question.

Mr. HOFFA. Since it is not my company, I can only say that I think that it was.

Mr. KENNEDY. It was. You do not know. Your wife has not let you know how much money she made?

Mr. HOFFA. I think I know how much she made.

Mr. KENNEDY. Approximately, how much do you think she made in that company since it was set up?

Mr. HOFFA. I can't tell you, offhand, but a guess. I can give it to you this afternoon, if I can get it.

Mr. KENNEDY. We have some figures here.

Mr. HOFFA. Read them off, Brother.

Mr. KENNEDY. November 15, 1949, \$4,000 each to Mrs. Hoffa and Mrs. Brennan in their maiden names. In December of 1950, \$15,000 each. In October of 1951, \$3,500 each. In July of 1952, \$5,000 each. In December of 1952, \$5,000 each. In January of 1954, \$10,000 each. April of 1955, \$5,000 each. In June of 1955, \$5,000 each.

Was that corporation Test Fleet—does it, also, have another name?

Mr. HOFFA. I think that today it is called Hobren Corp.

Mr. KENNEDY. Hobren Corp.?

Mr. HOFFA. I believe that is correct.

Mr. KENNEDY. We understand that they, also, in addition to the moneys that I mentioned, purchased some land, Test Fleet; is that right.

Mr. HOFFA. That is right.

Mr. KENNEDY. How much money did that land cost?

Mr. HOFFA. I think \$20,000, rather than take the dividends.

Mr. KENNEDY. So, in addition to what I have mentioned, that is \$5,000 down on October 1, 1955, and \$15,000 down in 1956. That makes a total payment to your wife in her maiden name and Mrs. Brennan in her maiden name of \$125,000.

Mr. HOFFA. Before taxes.

Mr. KENNEDY. Does that seem right, before taxes?

Mr. HOFFA. Before taxes.

Mr. KENNEDY. You have to pay taxes on that?

Mr. HOFFA. I would assume everybody does.

Mr. KENNEDY. So, that is through 1956. That is with how much investment originally?

Mr. HOFFA. It was an investment, I believe, of \$4,000, with a commitment of \$50,000 in case the business went wrong, which they would have to pay. So it was, actually, an investment of \$54,000.

Mr. KENNEDY. Who was the commitment to?

Mr. HOFFA. To the bank.

Mr. KENNEDY. I see. But, actually, the money that was invested was \$4,000, and in the 6-year period——

Mr. HOFFA. Well, that isn't true, of course. You talk about actual money invested. I would like to know where you can go out and sign a note and not call that money invested. I haven't found it yet.

Mr. KENNEDY. Well, there was \$125,000 in 1956. The actual money that was put up by Mrs. Hoffa and Mrs. Brennan was \$4,000, and a \$50,000 loan that they made from a bank, that was guaranteed by Mr. Beveridge, of Commercial Carriers; is that correct?

Mr. HOFFA. Which was, temporarily, not guaranteed, but which Mr. Beveridge, if I understand correctly, simply made a statement to the bank that, in his opinion, it was a good investment, and I do not believe that you will find any records that Mr. Beveridge ever signed any notes for any moneys loaned from the bank for this purpose, but the responsibility would have been Josephine Poszywak's and Alice Johnson's if the business had not operated successfully and profitably.

Mr. KENNEDY. What do you do with this land that you purchase? What have you done with that?

Mr. HOFFA. Well, it is a nice hunting camp.

Mr. KENNEDY. It is a what?

Mr. HOFFA. A hunting camp.

Mr. KENNEDY. A hunting camp?

Mr. HOFFA. Yes; very nice.

Mr. KENNEDY. Is it for yourself?

Mr. HOFFA. It is owned by the Test Fleet, rather Hobren, now, and it is leased to a nonprofit organization at a nominal fee for all of the employees who want to go up, working for the teamsters.

Mr. KENNEDY. What is the nonprofit organization?

Mr. HOFFA. I don't know the name of it, offhand. It has some sports title attached to it.

Mr. KENNEDY. Is it Lake 13 Hunting and Fishing Club?

Mr. HOFFA. It could be.

Mr. KENNEDY. That is a teamsters organization?

Mr. HOFFA. No; it is not. It is a group of representatives who work for the teamsters as individuals, who decided that, since we always hunt and fish together, and since the property was there, they would take advantage of the situation and work out such an arrangement.

Mr. KENNEDY. So, the Hobren company or corporation does not receive any rent?

Mr. HOFFA. No; that isn't true. I said that they pay a nominal fee, out of initiation fees, for the upkeep, taxes, and for a nominal return, I believe, on the investment.

Mr. KENNEDY. How much do they pay?

Mr. HOFFA. I think that each fellow pays \$100 a year, and, when we go up to hunt, we share up the amount of money that it cost and each one pays that. And if there is any work to do, I may say, also, that we take off time and go up and do the work.

Mr. KENNEDY. So it is about \$2,000 a year?

Mr. HOFFA. I don't know if it is or not. You must have the records.

Mr. KENNEDY. Well, our records show it is about \$2,000, the rent that is paid to the Hobren Co.

Mr. HOFFA. It could be.

Mr. KENNEDY. This Hobren—

Mr. HOFFA. Before you get away from the situation that you mentioned a minute ago, I would like to correct your statement in the record concerning the amount of moneys that were earned.

I have here in front of me a contract which is called the automobile carrier truckaway agreement. The period is from March 1, 1955, to February 28, 1961, with the understanding that, after a period of 3 years, we renegotiate wages and certain other conditions. On page 40 there is a proviso in there which is standard for all of the operating companies that lease equipment. The rental rate on that page is established, and nobody pays less and sometimes they pay a little more. Tractors only, 65 percent of the gross. And then it goes on to talk about, on pages 40 and 41, and 42, 43, and the top of page 44, the conditions that equipment can be leased.

I would like to have the record show for the Senators, if you please, that approximately 60 percent of the equipment, to the best of our estimation, operating for the type operation in this instance, is leased equipment, either from the drivers or from fleet owners. So, this was not an unusual arrangement and is common practice, as certain Senators know who have something to do with trucklines, in the trucking industry, because the trucking industry does not have the capital necessary for the outlay of purchasing their own equipment.

Senator KENNEDY. Mr. Chairman?

The CHAIRMAN. Senator Kennedy?

Senator KENNEDY. On the \$50,000 loan, what did you put up against that?

Mr. HOFFA. The equipment.

Senator KENNEDY. On what basis did you receive the equipment from the company?

Mr. HOFFA. I beg your pardon?

Senator KENNEDY. On what basis did you receive the equipment from the company? On a loan, or did you purchase it?

Mr. HOFFA. The equipment was purchased by securing the mortgage, and it was not purchased, if my recollection serves me right, from the Commercial Carriers, but, rather, it was from the International—no; I think they were Dodgers. I don't want to be held to that, but I think from a Dodge dealer that they did business with.

Senator KENNEDY. What I am trying to get at is the amount of money that your wife and Mr. Brennan's wife actually put into the company on their own. I understand they put \$4,000 in, which was the first dividend. What I am wondering is, when the company was formed, how much money did your wife and Mr. Brennan's wife, of their own or of yours or Mr. Brennan's, actually was invested? What was their personal equity?

Mr. HOFFA. I think you will find there were two checks—I don't want to get held to this, because I don't have it, offhand—maybe I do; I will take a look. No, I don't have it, offhand. The financial report will show, and I think the Hoffman hearings will show, that 2 checks, of \$1,500 each, and then there was an additional check of \$1,000 that was put up for the capital, actual capital cash outlay for this operation.

Senator KENNEDY. That was not a dividend, in other words. That was your own money that you put into the company?

Mr. HOFFA. It is my opinion of what I know about it, and I am only giving you my opinion and not a fact, that the money came out of earnings of the other company, Mr. Kennedy.

Senator KENNEDY. Now, Mr. Hoffa, you stated, and I do not know if I am quoting you correctly, that you did not get any of this money, that his money was earned by your wife and Mrs. Brennan. Did you receive some of it or none of it?

Mr. HOFFA. We file a joint return, if that is what you mean, Senator.

Senator KENNEDY. I do mean that. So, actually, you have benefited from this, too, haven't you?

Mr. HOFFA. If you want to call it that.

Senator KENNEDY. Considering the fact that the company supplied, in a sense, the lawyer, or at least the lawyer worked for the company and the accountant worked for the company, and there was a loan or, at least, a dividend, and the company supplied the trucks, and you at the same time represented many of the employees that were working for the company, do you, as a general principle, believe that an official of a labor union should have business dealings which subject him to some of the inferences, at least, which I have gathered—maybe I am incorrect—at a time when they are representing the employees at the bargaining table with these same employers?

Mr. HOFFA. I would say that your inference is incorrect, but I would say that, normally, Senator, I find nothing wrong with a labor representative having a business or his family having a business that may be in the same industry that that particular union has organized, because it has been my experience that if you can be corrupt for a very small amount of money or a very large amount of money, there isn't much difference. My record speaks for itself, and my contracts speak for themselves, that they are equivalent to anything that has ever been negotiated in any industry without strikes, Senator.

Senator KENNEDY. The only thing I am talking about, Mr. Hoffa, is the fact that, for a \$4,000 investment, a profit of over \$125,000 was made. There certainly was an intimate business relationship between you and a major employer. I am just wondering whether you, as a prominent labor leader, feel that it is proper for you to have, or labor leaders in general to have, such a relationship with men whom they are bargaining with collectively on behalf of their employees.

Mr. HOFFA. Senator, I will answer that by saying this: that I have been around a long time, and I know my employers probably better than most people know their employers who represent employees, and I have never made it a practice of trying to distinguish employers from employees other than at the bargaining table, and I find nothing objectionable if an employer is going to lease equipment from a stranger, to lease it from somebody who is not a stranger, providing there is no strings attached to that particular investment.

However, I notice that the ethical practices committee has placed certain rules and regulations concerning investments and, as rapidly as possible, even though I don't agree, I am disposing of everything that I own except what I will earn from the union, to comply with the ethical practices rulings.

However, I want to make it clear that, since that rule came down—and it came down this year, if you will recall—we have been attempt-

ing to sell this particular company. But, the money market being as tight as it is, it is rather difficult, without taking a loss, to sell at this particular time.

But, as rapidly as possible, that concern and my other businesses will be liquidated to the extent that I will be able to say, as some labor leaders like to say, and I don't, that management is wrong and I can have no part of it. I will simply say that, to comply with ethical practice, I will dispose of any holdings we have outside of my personal property that I own, to comply with ethical practices rulings, even though I don't agree with them.

Senator KENNEDY. I am glad to hear that, Mr. Hoffa. It is not a question of all management being wrong. It is just a question of whether a labor leader who is negotiating contracts should have an intimate business relationship of the kind that you have had with people whom he is obliged to negotiate with over the bargaining table.

Mr. HOFFA. I probably—

Senator KENNEDY. I think that is the reason that the AFL-CIO ethical practices thought that it involved a conflict of interest and should not be permitted.

Mr. HOFFA. Well, Senator Kennedy, I would say to you that, if a person owned a controlling interest in a business, I would believe without question, you would not need that rule to find that it was wrong. But I believe that, if there is uniformity of payment for what the particular equipment is leased for, and the contracts speak for themselves in the matter of handling grievances, in the matter of keeping the equalization of wages in line with other industries, it should not be construed as being some sort of an illegal operation or an untouchable operation, because it is my firm belief as a labor leader that, if you know the business that you are negotiating in, and if you have some touch of responsibility, you will be in a better position at the bargaining table to get more for your men when it comes time to bargain.

My experience of knowing what can be produced out of trucks, by leasing equipment and paying union wages, has saved our drivers throughout the entire central conference from having any strikes and be able to get at the same time the prevailing wage scales, prevailing increases, in many instances much higher and better fringe benefits, than the average union that takes the position that they don't want to know what the employers' business is about.

Senator KENNEDY. The ethical practices committee of the AFL-CIO took the opposite position, Mr. Hoffa, and I think for very good reason. But I am glad to hear that you are going in that category to go along with them.

The CHAIRMAN. All right, Mr. Counsel, proceed.

Are there any other questions by any member of the committee at this time?

Senator ERVIN. I would like to ask one.

The CHAIRMAN. Senator Ervin.

Senator ERVIN. Why was the stock in this corporation taken in the maiden name of your wife rather than her married name?

Mr. HOFFA. On the advice of counsel, Senator. In case there was a lawsuit, they thought there was less possibility to having it attached, and I am always subject to lawsuits.

Senator ERVIN. So counsel advised you not to use your wife's correct name?

Mr. HOFFA. Not her correct name, but to use her maiden name, sir.

Senator ERVIN. Your wife generally does not use her maiden name in your social contacts with people since her marriage, does she?

Mr. HOFFA. No, but I understand in business it is not unusual to use a maiden name rather than the married name for the same purpose I have outlined, Senator.

Senator ERVIN. Frankly, I practiced law and I had a lot to do with forming corporations. It is the first instance that has come under my notice where that kind of a course of action was taken. It is more difficult to trace the ownership of a stock in a corporation if the stock is placed in the maiden names of married women than it would be if the stock had been placed in the married name, is it not?

Mr. HOFFA. Senator, I would like to say to you that my members knew at all times what I was doing, and approved of it in open meetings, sir.

Senator ERVIN. I believe you haven't answered my question. My question was if it wasn't more difficult to trace the ownership of the stock in a corporation if the stock was placed in the names, the maiden names, of married women rather than in their married names.

Mr. HOFFA. Today, when you file an income tax, I don't think you could hide anything.

Senator ERVIN. You still haven't answered my question, Mr. Hoffa.

Mr. HOFFA. Well, I don't know, sir. I don't know the answer to your question other than to say that there was no ulterior motive for the purpose of putting it in their names.

Senator ERVIN. I thought you have said that it was less likely that the stock would be attached in any suit against them if it was listed in their maiden names rather than their married names.

Mr. HOFFA. You are correct, sir.

Senator ERVIN. And that is the reason it was done. In other words, it was done to conceal the ownership of the stock from the ones who might happen to be creditors of the women.

Mr. HOFFA. That could possibly happen, Senator.

Senator ERVIN. So that is no ulterior motive?

Mr. HOFFA. I understand, sir.

Senator ERVIN. That is all.

The CHAIRMAN. Are there any other questions by any member of the committee?

Senator McNAMARA. Mr. Chairman?

The CHAIRMAN. Senator McNamara.

Senator McNAMARA. I would like to ask the witness, and perhaps counsel would have to answer: Do we have the assumed name law still on the books in Michigan?

Mr. FITZGERALD. Yes, there is an assumed law in Michigan.

Senator McNAMARA. Did you register?

Mr. FITZGERALD. That was not, as I understand it, Senator McNamara, a Michigan corporation. That does not cover a corporation. It merely covers partnership or someone who as an individual wants to do business under an assumed name.

Senator McNAMARA. I have had to go to the county building and register the name of a corporation because it was an assumed name.

Incidentally, it happened to be the Michigan Old Age Pension League. We will clear that up now.

Senator ERVIN. I have one more question. Did the lawyer tell you why he selected Tennessee out of the 48 States in which to obtain a corporate charter for a corporation that was not to function in Tennessee but which was to function in Michigan?

Mr. HOFFA. Not to my knowledge.

Senator ERVIN. That would also make it difficult to trace the matter, wouldn't it?

Mr. HOFFA. I believe it would also be necessary, and I don't want to be held to this, I think it would also be necessary to be registered in Michigan as a company because of the sales tax and so forth.

Senator ERVIN. Possibly so. I believe it might be.

Mr. HOFFA. I believe so.

Senator ERVIN. Was the stock originally issued to your wife and her associate or was it originally issued to the lawyer and then transferred by him to them?

Mr. HOFFA. I believe Mr. Kennedy can probably answer better than I can, but I will hazard what I think. I believe that Test Fleet was at all times in the two women's names.

Is that correct?

Mr. KENNEDY. Not originally.

Mr. HOFFA. It wasn't?

Mr. KENNEDY. It was originally set up in the name of Mr. Wrape and two of his assistants.

Mr. HOFFA. How long did it last? A week or so?

Mr. KENNEDY. At the time of the corporation, when it was set up in Tennessee.

Senator ERVIN. You know ordinarily when a corporate charter is issued that the names of the subscribers to the stock are named in the newspapers as a matter of news, and that when the corporation is set up, as detailed by Mr. Kennedy, and the stock is transferred later to other people, that that is another method which is resorted to, or rather, another method which is calculated, to prevent disclosure of true ownership of corporate stock.

Mr. HOFFA. Senator, I can agree with you, but when you talk about my name as Hoffa, nothing can be secret in Detroit, because the newspapers publish very rapidly the fact.

Senator ERVIN. But newspapers do not discuss and talk about your wife under her maiden name, do they?

Mr. HOFFA. Unfortunately they do; yes.

Senator IVES. Mr. Chairman?

The CHAIRMAN. Senator Ives.

Senator IVES. I am going to deviate a little bit for the moment from the questioning which has been going on. This has some relationship to it, but not directly.

I should judge, Mr. Hoffa, that as a result of your several activities in which you have been engaged, you have something to do with small business?

Mr. HOFFA. We have many small-business men, Senator, in our union; yes, sir.

Senator IVES. I would like to reconcile that in a way with a statement attributed to you. Of course, I don't know that you ever made

it. The statement appeared in the press under date of March 3, 1956, supposedly made in Detroit, in which you said, or were quoted as saying:

The future of labor-management relations is big labor and big business. There is no room for the small business or the small union. That is unfortunate but true.

Do you still think that?

Mr. HOFFA. Senator, that came out, I believe, of the St. Louis Post-Dispatch. I think a fellow named—

Senator Ives. You certainly have a high I. Q. You are given great credit for that. If you can spot that that way, you are doing a good job.

Mr. HOFFA. A fellow named McCullough wrote the article.

Senator Ives. That is true, too.

Mr. HOFFA. I would say to you that it is an absolute misquote of what I said. If you are interested, Senator, I will try to refresh my recollection and tell you what happened.

Senator Ives. No, I am not interested in what happened. I am interested in what you believe in today.

Do you really think that the day of small business is over?

Mr. HOFFA. Senator, I want to say this to you, that my experience has been that with the ever-increasing cost of replacement of equipment, the ever-increasing cost of expansion, it is making it daily more impossible for small-business men to be able to stay in business or to get loans from financial institutions. Unfortunately, and I again use those words, unfortunately, I see every time a large supermarket or a large department store built in a shopping center area, I see the surrounding merchants who have been there from their fathers to their grandfathers to the present people, gradually going out of business. It is unfortunate. But we must recognize, I suppose, that everybody has a right of expansion, has a right to be as big or as little as they want. We have to deal with it on the basis as we find it.

I would say that the small-business men in this country, unless the Government aids them more than they have in the past, by making it possible to have financial aid loaned to them from the Government, are going to have a terrific time to stay in business, Senator.

Senator Ives. Then your observation regarding big business and big labor is more or less correct?

Mr. HOFFA. Unfortunately through no fault of ours, I think it is rapidly going into that effect, Senator.

Senator Ives. And I presume in that connection you would be in favor of big labor?

Mr. HOFFA. Senator, you must meet conditions as you find them to be able to protect your members in a way that they do not necessarily use long, drawn-out strikes that can be forced on to them by being ill prepared to handle the situation to the point that it will affect the interest of moneyed people in big business before they make a settlement.

Senator Ives. In that connection, I want to carry this one step further.

Again I can only bring to your attention things that I have seen stated concerning you. I don't know them to be facts.

I would like your observation now. It has been reported that you, yourself, are endeavoring, or will endeavor, assuming you are elected

president of the international in September—you know now what is coming; I can see you are anticipating it—to effect a merger of some kind or other among all the transportation unions in the country. That includes not only yourselves, the teamsters, but it includes the longshoremen.

We had Captain Bradley here before us the other day, and he told us about the relationship, a very pleasant one, between you, Captain Bradley, and his organization. It includes Harry Bridges on the Pacific coast, according to reports I have seen.

I am going to inquire of you how you stand on this before I get through.

Mr. HOFFA. All right, sir.

Senator IVES. It includes the railroad brotherhoods, and it includes the employees of the airlines. I don't know if there is anything else to it or not. But that pretty well covers transportation industry in the United States.

Now, what you got to say about it?

Mr. HOFFA. Senator, I have an answer. Again I say that this interview took place in San Francisco, I believe, 3 weeks ago. Again I say that due to the lack of knowledge of labor unions and the urgency to have spectacular news rather than news which is factual, the story was misquoted, and here is the story:

I do believe, and I don't apologize for it, that it is going to be necessary for transportation unions to form some kind of a council so that they can exchange ideas, and so that they can keep abreast of the times and where they have a dual operation, such as what is known today as piggy-back operation, where trailers which were previously hauled by trucks, are now being hauled by rail to a given point and trucked farther on, what is known as fishy-back, which is the transporters, with a top placed on them, where they are again hauling our trailers by water to various ports and where we pick up the trailer at a port and go by tractor to the given point of destination, where the railroads have dock workers which work in comparison to the dock workers of truck terminals, and where even the railroads now, under the authority of the ICC, which you gentlemen granted them the right to do, are now competing with our truckers that are strictly certified public carriers.

So I believe, Senator, that to protect the wage scales of the truck drivers, the dock workers, the checkers, of the United States, that we represent in the teamsters union, that it is going to be necessary to form some kind of a loose-knit council if for no other purpose except to exchange ideas in an endeavor to keep from competing with each other on the questions of wages and fringe benefits.

Senator IVES. On that basis, Mr. Hoffa, I would like to ask you a question: Would you endeavor to have industrywide bargaining through such a council? I mean industrywide in the sense that it would include all those industries I have stated. I have named four of the main industries in the country.

Mr. HOFFA. I would think that that would be an impractical situation.

Senator IVES. You wouldn't try to do it?

Mr. HOFFA. I think it would be very impractical, and I do not think that I would even dare suggest to the gentlemen who operate those unions that we should have anything to say about their bargaining.

Senator IVES. Again I want to ask you a question in that connection. Of course, I realize, as many people do, that it is virtually impossible to stop industrywide bargaining. You really can't legislate it out of existence. Mr. John L. Lewis demonstrated what would happen in a situation like that.

But I want to ask you this: Do you realize what the situation is if you have that kind of a council running the transportation industry of the country that way, the sympathetic attitude you will have toward one another, and it would be sympathetic, naturally it would be, and I wouldn't blame you one way or another.

Do you realize what would happen? You could tie up the whole United States in a strike. Have you ever thought of that?

Mr. HOFFA. May I answer you, Senator?

Senator IVES. I wish you would, because it has bothered me no end since I saw your statement reported.

Mr. HOFFA. I want to say to you, Senator, that there is no more danger of a nationwide tieup of transportation because of the human element involved in it, and there is—I wouldn't say there is, but there is more probability that transportation could be tied up by a strike of heavy industry which would indirectly affect transportation on a far greater basis than trying to coordinate all of the big unions that are in transportation.

As an example, Senator, when the steel industry goes down, we can figure in my own particular local, we can figure from 1,000 to 2,000 drivers will not be working while those steel mills are down.

When General Motors goes down, I don't know how many thousands of our people within 48 hours find themselves out of work.

If, as I have read, there is a likelihood of joint collective bargaining in heavy industry, that joint collective bargaining in heavy industry could more effectively shut down transportation, than we could shut it down, for the following reasons:

As you probably know, there are unregulated carriers hauling commodities that do not need the approval of an ICC permit, exempted commodities. Most of those trucks are owned by individuals and many of them are not organized.

In addition to that, if there was such a strike, which is very unlikely, as you are talking about, almost so far out of our lifetime that it wouldn't ever happen, industry itself could put their own equipment, with their own unions, into operation and such a strike would be impractical and impossible to control.

I don't think it would ever happen, Senator, from the standpoint of what you are suggesting.

Senator IVES. Let me point out one thing. I come from New York, as you know. Let me point out one thing you could do to New York City in your alliance with the longshoremen's association there, the ILA. You could paralyze New York City almost overnight if you struck. If you didn't allow any milk to come in—you have a milk strike up there now which started in at midnight last night. It may be a wildcat strike, but I don't know what it is. You have one, anyway.

Mr. HOFFA. I believe it is authorized.

Senator IVES. You think it is off?

Mr. HOFFA. I think it is authorized.

Senator IVES. Well, I hope it is off.

You could paralyze it. You couldn't get any vegetables or fruits into the city. You couldn't move anything. You couldn't do anything at the docks. You couldn't do a thing. New York City would be paralyzed if you two got together and had a strike in New York. That effect alone on the United States would be tremendous, its effect on the Nation.

Mr. HOFFA. Senator, I wonder, did you ever stop to think of the other side of the coin?

Senator IVES. Yes, I have.

Mr. HOFFA. That is as to why workers who join labor organizations should not have the same right as management who form associations and alliances between themselves in regards to water and rail transportation.

Senator IVES. Let me tell you something, Mr. Hoffa, on that. I am no more in favor of monopoly in one place than I am in another place, unless monopoly is regulated as it is in the utility industry, the railroads, and things of that kind. I am just plain opposed to monopoly, and that is what you are talking about.

Mr. HOFFA. Senator, I am not talking about a monopoly, because, as I stated, we are not trying to organize all of the trades that deal in transportation into one big union, by no stretch of the imagination. I simply suggested that for the purpose, which we could do today, for the purpose of exchanging views, for the purpose of being able to get out of the competitive stage, that we are in today in transportation, of where one union in one instance can take volumes of freight because of reduced freight rates, which is caused by a lesser wage scale as against the other one from time to time until our contracts catch up with each other.

I am looking out for the benefit of the workers, and I recognize my responsibility to the general public. I think my record speaks for itself, Senator.

I have been the chairman of the Central States Drivers Negotiating Council for a number of years; I think since 1939. We have the finest relationship between our employers and our union as any unions have. We have our fights and our quarrels, but we resolve them without getting on the street, only in a couple of instances since then.

I believe that the more power there is concentrated into a labor organization, the more responsible and careful the unions must be not to lose the complete power of having the right to have a union.

Therefore, I do not believe, sir, that there is any danger of this country suffering from anything in the way of exchanging views, in the way of coordinating our activities, unless—and I recognize what you will probably say—unless some irresponsible person was to get at the head of the organization.

However, I may also say to you that you gentlemen foresaw that, and that you passed a cooling-off period of 80 days under the Taft-Hartley law. During that 80-day period, the President could appoint a committee and any attempt to have a strike of that proportion I am quite sure would be brought to the Congress of the United States attention and it would never happen.

Senator IVES. As a matter of fact, Mr. Hoffa, we have had that 80-day period exercised at least once where the dockers were concerned and they waited for the end of the cooling-off period and then they struck. You probably remember that.

So there is a limit to the cooling-off period. That in itself doesn't do much good in the long-run if people are determined to strike. Don't get me wrong. I am not opposed to striking. I think the right to strike is basic in our American philosophy. I am for the worker. So don't get me wrong on that. My whole record will demonstrate that, too.

Mr. HOFFA. I know your record, sir.

Senator IVES. All right. So I think you and I are on the same ground on that basis. But I am disturbed about this angle I am talking about.

Mr. HOFFA. I think, Senator, there is one thing you are overlooking which must be very clearly indicated to the audience that is listening, and that is that labor leaders are not the judge of whether or not there shall be a strike. I know a lot of people disagree with that. But it must be recognized that unless you can get the employees of the employers and members of our union to believe in what you are proposing to them, no labor leader can have a successful strike. I think you realize that.

(At this point Senator Curtis entered the hearing room.)

Senator IVES. In that connection, do you believe in a secret strike ballot?

Mr. HOFFA. I certainly do.

Senator IVES. You do? And you would be willing to have that in the law? That has been agitated right and left and we have been trying to work something out that would be workable, and we haven't worked anything out yet.

Mr. HOFFA. I don't believe placing it in the law would do any more good than it would in writing it in the Taft-Hartley, in many instances. But I believe as in our constitution, if you will read it you will find it, that we do take a secret ballot prior to having a strike, and it takes two-thirds of those people in a meeting to reject a wage proposal by the employers.

Senator IVES. A secret strike ballot of the kind I am talking about would have to have supervision by somebody representing government.

Mr. HOFFA. I may say to you, and Senator McNamara is here and will know what I am talking about, that in the State of Michigan, we have a law dealing with intrastate members, purely, that requires a 10-day notice and a strike vote prior to calling a strike. I would say to you that in every instance where there was a strike called under that particular law, it could have been called just as easy without a vote as with a vote, because the issues that were presented to the members would determine whether or not there would or would not be a strike. I think you realize that.

Senator IVES. I do not want to take any more time. I thank you. I may have more to ask you later on today.

The CHAIRMAN. Does any other member have a question before we proceed?

Senator MUNDT. I would like to follow up a little on what Senator Ives has been saying.

You say that you believe there should be a secret vote on a strike. Do you also agree that for the protection of the public, there should be an impartial board or committee or group counting the ballots and evaluating them and reporting them?

Mr. HOFFA. I will say to you, Senator, that the more complicated you make it, the more agitated you make the worker, and the worker believes, I think, from my experience, that he is competent and capable of taking care of his own business, because when there is a strike called, it is the worker that suffers the loss in earnings as well as the management suffering the loss of profits.

Senator MUNDT. That is right. I have based my question on the results of a great many letters coming to my office from people I don't know, who tell me they are union members, who have implied that it would be useful to them if they could have the assurance, when they take a vote on a strike, that it is counted by somebody who is impartial, so that they know that they get an honest count.

If you are going to have the secret ballot, it seems to me that you intend to act on the basis of what the voters prescribe in their voting. I see nothing wrong with having the votes counted by an impartial board if, for no other reason than to satisfy, No. 1, the worker; and, No. 2, the public that the vote has been counted by an impartial person.

Mr. HOFFA. Senator, if you would add an addition to that, I would agree to you, and that is that once the majority of the workers vote to strike, you likewise pass a law that the employer can't hire strike breakers to break the majority vote of the workers.

Senator MUNDT. Well, I don't know how you could pass a law like that, frankly, because those who vote against it are still Americans, and I suppose they have a right to their opinion as well as the fellow who votes for the strike.

Mr. HOFFA. I am not talking about, sir, the employees one way or the other in the vote. I am talking about people who did not work for the employer prior to the time of the strike, if such took place.

Senator MUNDT. You would permit them to hire the ones who voted in the negative?

Mr. HOFFA. The person who voted always has the prerogative, if he previously worked, of using his own good conscience as to what he wants to do.

Senator MUNDT. I certainly would not want to deny him any more than I would want to deny the fellow who voted for the strike the right to strike; and the fellow who voted against it, if he wants to run the hazard, certainly has the right to work during the strike.

Mr. HOFFA. I think if you would just pass the law that they couldn't hire additional employees to break a strike after the workers voted, that you would be doing a great service to the working people of America.

Senator MUNDT. It is something to think about, because we are obviously in these hearings to find out what new labor legislation is needed, if any.

In that connection, I was intrigued by another statement you made. I believe you said that the more power a labor union has, the better for the labor union and I presume you imply the better for the public.

Mr. HOFFA. Necessarily power that is gained through having a larger union, as I stated before, could be more quickly taken away from you if you abuse the power.

Senator MUNDT. Would you favor legislation which would tend to make the responsibility of the labor union commensurate with the power that it has?

Mr. HOFFA. Senator, I may be the only one in labor who will make this statement, I don't know, because I have been criticized pretty good for making it, but I will make it here.

I believe that once a union signs a contract, it is just as responsible as management to live up to that contract, and if they violate it, they ought to be penalized.

Senator MUNDT. That is a good statement.

I think it is a pretty sound axiom to follow in all areas of activity, whether political or economic, industrial or labor, that where there is power there has to be responsibility.

Mr. HOFFA. There is no question about it.

Senator MUNDT. I am glad to have you associate yourself with that axiom.

Mr. HOFFA. I can expect, Senator, this afternoon or tomorrow, some questions concerning that statement, concerning what I see on the board. I will answer those questions, too.

Senator MUNDT. I will probably have some at that time.

Mr. HOFFA. Thank you, sir.

Senator GOLDWATER. Mr. Chairman?

The CHAIRMAN. Senator Goldwater.

Senator GOLDWATER. Mr. Hoffa, I want to pursue just a little bit further, because you have been cooperative in answering, the subject that Senator Ives proposed.

I think that even you recognize that if you follow through this idea of yours of bringing all of the transportation unions into either one being in fact, or association, for the exchange of ideas, as you mentioned, that there is the danger of the wrong man heading it at some time, and the wrong man could exercise the power to strike.

Would that danger not exist even without the wrong man?

Let us take, for example, a strike being called by the airlines.

Mr. HOFFA. By the who, sir?

Senator GOLDWATER. By the airlines. By the airline employees.

Mr. HOFFA. Yes.

Senator GOLDWATER. It would then follow that no other union would cross its picket lines, so you would, in effect, tie up all of transportation if you carry that far enough, particularly if your organization has been successful in getting together.

Now, recognizing that you have two sources of danger, one the observance of the picket line by all unions, and, two, which I think is a greater danger, the fact that at some time when the responsible labor leadership is not in existence and an irresponsible man occupies the chair that you are seeking to occupy, we could have a rather chaotic condition in this country.

Because of those facts, would you think it wise, too, that the Congress consider placing unions under antimonopoly or antitrust laws, the same as we place the large corporations of this country?

Mr. HOFFA. I certainly do not. There is certainly a difference between human beings working for a living, trying to use their best coordinated effort to gain whatever they are rightfully entitled to, than there is a combination of industrialists getting together for the sole purpose of controlling prices and trying to make a larger profit.

Senator GOLDWATER. I can agree with you that there is a philosophical difference between a man seeking to better his working con-

ditions and a corporation seeking to control the production, the price, and the availability of a commodity. But let us recognize facts as facts. Labor makes up the largest part of the cost of anything we do today.

If a person or a union has absolute control, and say, just to make it a hypothetical question, one man or a small group of men have absolute control over the wage scales of an entire industry, such as the trucking industry, and the wrong group were heading it, could not that group do just as much damage to the consumers of the country as, let us say, for example, X corporation who would control all of the acetate yarn production of the country?

Mr. HOFFA. Sir, my answer would be in your particular State, a situation exists today which shows the necessity of an organization having a coordinated effort in an attempt to protect its members from an organized group of employers in trying to destroy that particular union.

I have here, and I am not going to take the time to read it, but I will leave a copy with you with your permission, a letter of July 18, from a group of employers in your State who have banded together deliberately for the purpose of destroying the teamsters' organization and refusing to live up to—

(The witness conferred with his counsel.)

Senator GOLDWATER. Are you sure that is my State, Arizona?

Mr. HOFFA. Excuse me, sir. I thought you were Senator Curtis.

Senator GOLDWATER. You compliment me.

Mr. HOFFA. Excuse me, sir.

Senator GOLDWATER. I can assure you that the relationship in my State between the teamsters and employers is a very pleasant one. I couldn't believe that any group of employers in Arizona would try to destroy your union, or, as far as that goes, any unions.

I did want to get an answer back from you, and I know you are honest in your convictions, as to the advisability of placing unions under antimonopoly or antitrust laws.

I say that because I am interested in protecting not only the public but the union member and management as well. The time could well come, and if you think this through I think you will agree, that if a situation existed in this country where one union controlled all of the people involved in such a gigantic undertaking as transportation, and anything happened in the way of a strike that tied up this country that the Congress would act in a much more violent way than they would if the laws of the country provided control of that situation.

I do not think that you would find it would work to your hardship any more, probably, than the big corporations have found that anti-monopoly laws have worked to their disadvantage.

Mr. HOFFA. I have to respectfully disagree with you, and I again have to say that I do not believe the monopoly laws should apply to laboring people, because the—

Senator GOLDWATER. I am not talking about laboring people. I am talking about the organizations.

Mr. HOFFA. Laboring people are organizations. Labor organizations cannot survive without having members.

Senator GOLDWATER. I agree with you on that, but laboring people belonging to an organization is one thing. The organization acting is another thing.

Mr. HOFFA. It is the same thing, sir.

(At this point, Senator Ives withdrew from the hearing room.)

Senator GOLDWATER. You can draw the same line in stockholders of a big corporation. They are stockholders because it benefits them. What the corporation does is not always of particular concern to them as long as they give benefits in the form of dividends. It is the same way with your membership. The members of your union, if it were on a voluntary basis, they would be members of your union because you produced good benefits for them and what the top level does is not of concern to them.

But when the top level moves to hurt the entire country, I cannot see the difference between the organization as a union and the organization as a corporation, when both of them have the opportunity of doing harm to the country under wrong management.

Mr. HOFFA. Well, sir, I would say this: I will restate my original objection, but I would say to you, that I believe that the American people who belong to the trade labor movement, and those who do not belong who we are attempting to get into our organization, will be the answer, in any event, whether you pass a law or don't pass a law, as to how they want their labor unions to run.

If you should pass such a law, it would be my personal opinion that it would only be a matter of time by the rules laid down which would prevent the average union member from getting what he is rightfully entitled to, it would only be a matter of time that there would be candidates selected who would not believe in that philosophy, and would attempt to change the law, because I do not believe that you can control, by law, on a monopoly basis, a union without indirectly saying, or directly saying, to its members, that "You are not allowed to assist each other, and you are at the mercy of the employer to be able to destroy your union."

I don't think you want that and I don't think the American people would accept it for any long period of time, if those rules were placed on the union people, and the nonunion people, of this country.

Senator GOLDWATER. Mr. Hoffa, I do not think you quite understand what I am getting at in the way of antimonopoly legislation.

There would be nothing in those laws, and I am sure everybody here would make certain of that, that would prevent organization, that would prevent the normal functioning of a union or labor organization. But those laws would be established to prevent exactly what the laws were established to prevent in big corporations. In other words, the control of a segment of our economy or a segment of our society.

We have to forget in this argument the individual—I am talking about the bigness of a unit, whether it be a corporation or whether it be a labor organization.

The individual you suggest through democratic processes might not do this. But I can see, and you can see, too, the dangers of one man being able to incite these members into doing pretty much what he wants to do, or ignoring them because of the sheer power that he holds as being the head of, let us say, an economic unit such as yours that has about a million and a half members, and if you expanded to these others, might include, just as a rough guess, say, two to two and a quarter million people. But those two and a quarter million people would absolutely control the economy of the country.

I do not see any difference, and I know we are not going to get either one of us to change our minds in this argument, and I will desist after this, I cannot see any difference in the power that can be held in the hands of John Smith, a labor leader, or John Smith, the president of the biggest corporation in the country, each of whom controls a necessary part of American life.

I think it would be much wiser for the heads of American labor to sit down now with Members of Congress and discuss this whole problem, not on the idea that Congress is out to destroy the union movement but on the idea, actually, that this kind of legislation might, in the future, save the union movement.

The American people will not tolerate the kind of violence that this combined power suggests. I would personally much rather see laws on the books to protect from the monopolistic dangers of a large movement, regardless of who it is, than to see the Congress become riled up and pass bad legislation at the moment.

Mr. HOFFA. Senator, I can only make one comment and I will also stop talking about it.

My comment would be to the effect that the American worker is much smarter than people give him credit for.

Senator GOLDWATER. I will agree with that.

Mr. HOFFA. And that the American worker would be the first to sense, in my opinion, the dangers of having a majority of the people in other unions be penalized by their actions in regards to having such a giant organization, as you are visualizing, controlling any segment of industry in this country. However, I don't think you are unaware of the fact that there are transcontinental trucklines today. Those transcontinental trucklines start from Seattle and go up to North Bergen. They go all the way from L. A., and Frisco into Chicago.

There are two men in the cab and the truck never stops.

I don't think that you believe that a driver coming from Los Angeles into Chicago should get less money than a driver running from Chicago to Los Angeles, and because those two unions got together or the number of unions necessary to prevent that, that we would necessarily be creating a monopoly in the sense of monopoly as has been known in industry.

Senator GOLDWATER. In your own industry, the trucking industry, I would agree with you. But if that were to be extended to the striking power, the inherent power of numbers, to cover all transportation, which, in turn, could control the economy of this country, then I would say definitely that it would be a monopoly.

Now, whether or not you or any other labor leader ever used that monopoly to the disadvantage of the country would be up to you.

If you use that monopoly at the bargaining table, that is one thing. But to use it to advance a political theory or an economy theory is entirely another thing. I think that actually talking about it now, extending this kind of a conversation to include all labor leaders, and Government, we possibly can come up with the answer in the form of legislation that will prevent the things happening that you do not want to have happen and that I do not want to happen.

We both recognize that it can happen.

Mr. HOFFA. When you separate the political from the economic, you and I could have a different discussion, because I do not believe

that it is the original intention of labor organizations to try and control any individual group of political powers in this country for their own determination as to what to do with it.

Senator GOLDWATER. Of course, I agree—

Mr. HOFFA. So I am not suggesting, Senator, that we put together a combination, even in an advisory capacity, to be able to say that we are for this party, this candidate, or the other party or the other candidate. I am not suggesting that at all, sir.

Senator GOLDWATER. Mr. Hoffa, we have labor leaders in this country today, labor leaders who are not particularly friendly to you, labor leaders who, I am sure, would like to gain control of an organization like the teamsters, who do not think like that. If those individuals were successful in getting control of your unions and expanded this to include the entire transportation field, then I think you can see the dangers immediately of what I am talking about.

Mr. HOFFA. Maybe better than you can, Senator.

Senator GOLDWATER. I am certainly glad to hear you say that.

Mr. HOFFA. Maybe better than you can, because I have just about surmised the situation if certain people controlled transportation, plus other industries that are now organized, which they are desperately trying to do, using every medium of advertisement to the general public that they can use, to try and destroy, to try and, if possible, take over without the voting authority of the members, certain parts of the labor organization. I, for one, am not unaware of what is happening in this country. I don't propose as one, either, and I have had my fights in the past, Senator, on this question, I don't propose as one person to become involved in a situation to where anybody is going to call me into a room and tell me, without talking to my members, "This is what you are going to do" or, "This is what you are not going to do."

My experience is when you endorse a candidate on that basis, you just went out of business.

Senator GOLDWATER. Well, Mr. Hoffa, just to wind this up, I think we both recognize that in the writing in the clouds today there is an individual who would like to see that happen in this country. I do not like to ever suggest to let you and him fight, but for the good of the union movement I am very hopeful that your philosophy prevails.

Mr. HOFFA. I assure you that the American people will accept my philosophy and not the one of the other.

Senator McNAMARA. Mr. Chairman, I think this has been a very interesting and enlightening discussion. However, I think it was based on a strawman.

When we get to the consideration of legislation in this field, certainly we are going to have to recognize at the outset that we are dealing with a profit organization or a profit corporation against a nonprofit corporation.

Actually, the proper relationship would be unions, in the trucking industry, with the trucking association. They are both nonprofit organizations. The trucking association, as such, is a nonprofit organization.

Mr. HOFFA. You are right.

Senator McNAMARA. This is a fair comparison.

If you are going to pass legislation, if you are going to make laws to control nonprofit organizations, you are getting into a pretty tender area.

Nonprofit organizations include not only trucking associations but associations of manufacturers, chambers of commerce, associations of lawyers and doctors, associations of educators, associations of religious groups. I do not know how you are going to pass laws in this great nonprofit organization field for just one group of these people without passing them for all of them.

I think it would be most unfair for the United States Government to take a position on the side of the trucking association as against the unions involved in the industry. I will forever resist it. I do not care whether you and Senator Goldwater agree or not.

The CHAIRMAN. Gentlemen, does anyone else on the committee wish to ask some questions?

Senator MUNDT. Mr. Chairman?

The CHAIRMAN. Senator Mundt.

Senator MUNDT. We were discussing, Mr. Hoffa, the matter of strikes, strike votes and so forth.

Mr. HOFFA. Strikes; yes.

Senator MUNDT. You say you have been around a long time. You must have been doing pretty good. You look like a young man to me.

Mr. HOFFA. For 25 years, Senator.

Senator MUNDT. I would like to ask you this question: How many strikes in areas under your leadership have been called by strike votes since you have been around?

Mr. HOFFA. Do you mean secret strike votes?

Senator MUNDT. Yes.

Mr. HOFFA. Our organization pays at the end of the second week \$15 a week strike benefits as long as the strike lasts. Unless there is a secret strike vote taken, we do not pay the benefit. So when they send in their application for the right to strike, they must designate the fact that they have had a secret vote.

I would assume, from what I have saw of the applications, in the majority of instances, the vast majority of instances, there has been secret votes taken, sir.

Senator MUNDT. Let us put it the other way. How many times, to your best recollection, have the voters rejected a strike by a secret ballot?

Mr. HOFFA. Very rarely.

Senator MUNDT. Very rarely?

Mr. HOFFA. Because you do not put the vote to your members unless you are sure you will win the vote. You must realize this, that they have a right of acceptance prior to a strike vote, and if the contract is agreeable to the members you could never get them to strike even though you talked for a strike.

Senator MUNDT. You say that in the biggest percentage of cases, therefore, when you submit a proposal to strike to the voters, they have voted to strike?

Mr. HOFFA. That is correct, sir.

Senator MUNDT. Have they ever, to the best of your recollection, voted not to strike?

Mr. HOFFA. I have had it happen to me, sir.

Senator MUNDT. You have had it happen to you?

Mr. HOFFA. Yes.

Senator MUNDT. What percentage of time would you say?

Mr. HOFFA. Very rarely.

Senator MUNDT. One time?

Mr. HOFFA. No, I would say probably a dozen or more. I have got surprises.

The CHAIRMAN. Is there anything further?

All right, Mr. Counsel, have you any other questions?

Mr. KENNEDY. I hate to take you back from being a labor union leader to a businessman——

Mr. HOFFA. Go right back. Don't worry about it.

Mr. KENNEDY. On Test Fleet, what kind of cars has Test Fleet?

Mr. HOFFA. Cadillac.

Mr. KENNEDY. They always carry Cadillacs?

Mr. HOFFA. That is right. That is my understanding.

Mr. KENNEDY. What kind are the best cars?

Mr. HOFFA. Cadillacs.

Mr. KENNEDY. You are always able to get Cadillacs?

Mr. HOFFA. Because the equipment is assigned to that particular division.

Mr. KENNEDY. And your company always gets Cadillacs?

Mr. HOFFA. Not my company, my wife's. And so do all of the individuals who haul Cadillacs out of Cadillac, which are built and hauled by truck in our district.

Mr. KENNEDY. Financially you have an interest in it?

Mr. HOFFA. Financially I don't have an interest in it, other than suggested by your brother, that I may have a joint return of my income tax.

Mr. KENNEDY. Does your wife separate the money that she gets from this company and doesn't let you use it?

Mr. HOFFA. You know that is impractical and so do I. My wife takes some of my money and I take some of hers.

Mr. KENNEDY. You do get some of the money?

Mr. HOFFA. I don't agree with you. I think I get sufficient money out of my salaries to maintain my family the way I want to live, and I do not need any part of my wife's moneys to be able to support my family on the basis that I desire to support them.

Mr. KENNEDY. Do you segregate it?

Mr. HOFFA. I told you I filed a return. I answered the Senator.

Mr. KENNEDY. Does it go in a special bank account?

Mr. HOFFA. It does not.

Mr. KENNEDY. So that it is commingled funds; is it not?

Mr. HOFFA. And there is a difference between me being able to earn sufficient moneys to be able to support my family and what my wife, without you saying that I take part of my wife's moneys to be able to support myself or my family, because that is not a true statement.

Mr. KENNEDY. What other companies carry Cadillacs, just Cadillacs, other than yours?

Mr. HOFFA. F. J. Boltell Co., which has brokers also.

Mr. KENNEDY. F. J.——

Mr. HOFFA. Boltell Co.

Mr. KENNEDY. Who owns that company?

Mr. HOFFA. Boltell. Two brothers.

Mr. KENNEDY. What other company?

Mr. HOFFA. I think there may be 5 or 6. Offhand I can't tell you.

Mr. KENNEDY. We can't find that many.

Mr. HOFFA. You haven't looked, maybe.

Mr. KENNEDY. Can you bring those in this afternoon?

Mr. HOFFA. I don't know this afternoon. But I will certainly bring them in to you.

Mr. KENNEDY. Where does Test Fleet run? What do they carry?

Mr. HOFFA. Wherever their certificates operate.

Mr. KENNEDY. Where is that?

Mr. HOFFA. I can't tell you offhand. I don't know.

Mr. KENNEDY. Do you have any idea where they run?

Mr. HOFFA. I can give you a guess, but I don't want to be held to the extent of my guess.

Mr. KENNEDY. Go ahead.

Mr. HOFFA. Michigan, Ohio, Indiana, Illinois, and I don't know what other States.

Mr. KENNEDY. Do you know if they run between Chicago and St. Louis?

Mr. HOFFA. I would imagine that they do not, because they work on a wheel, and as the truck comes in, it is registered and it takes the load wherever it is going, without preference.

Mr. KENNEDY. Let me see if I understand. It started originally, the J. & H. Sales Co. and when this company was started it was started by Mr. Carney Matheson's brother, Mr. Albert Matheson?

Mr. HOFFA. As an attorney.

Mr. KENNEDY. And Mr. Carney Matheson's brother set this up. The stock was issued in Mr. Montan's name. The stock was then transferred over to Mrs. Brennan and Mrs. Hoffa in their maiden names; is that correct?

Mr. HOFFA. You make your summary and when I see what you are doing, I will be able to answer you.

Mr. KENNEDY. You tell me when I am wrong, will you?

Mr. HOFFA. I will.

Mr. KENNEDY. That company was set up and that company became the National Equipment Co. The National Equipment Co. operated and it sold equipment or leased equipment to the Baker Drive-Away.

Baker Drive-Away at that time was owned and operated by Matheson and Bridge.

Is that correct so far?

Mr. HOFFA. I have answered that on the record.

(At this point, Senator Mundt withdrew from the hearing room.)

Mr. KENNEDY. And the dividends that were declared—there was a \$4,000 dividend and that \$4,000 dividend was used as a downpayment to start Test Fleet, and Test Fleet had a contract and made a contract with Commercial Carriers, and Commercial Carriers just prior to that time had had some difficulty with some members of the union, and the lawyer for Commercial Carriers arranged to set up a company in Tennessee, to go down from Michigan to Tennessee and set up a company.

The company was set up in the name of Mr. Wrape and two of his assistants, and, suddenly, or shortly afterward, the stock was trans-

ferred over into the names of Mr. Hoffa's wife, her maiden name and into Mrs. Brennan's maiden name.

Is that correct so far?

Mr. HOFFA. I have answered those questions.

The CHAIRMAN. Just a moment. The record will reflect that this is a true statement unless you want to deny it.

I do not know whether it is or not.

He is giving a summary. I suggest for you, to keep the record straight, if there is anything in error about it, that you so state.

Mr. HOFFA. Mr. Chairman, Mr. Kennedy may make a statement one way on a set of facts and use the same facts and I may use different verbiage on a set of facts and it may sound different.

The CHAIRMAN. It might. It is for that reason that the Chair suggested to you that if there is any error or wrong conclusion as he makes a résumé of it, I think it would be well to point it out.

(The witness conferred with his counsel.)

Mr. HOFFA. I will stand on my testimony, Senator, as compared to the summation of Mr. Kennedy, and if there is anything that is con—

The CHAIRMAN. If there is anything wrong with this summation, and you do not deny it in your testimony, then the record will have to stand on the summation.

Mr. HOFFA. I think that my testimony will have to speak for itself, because the summation is drawn with an inference rather than questions.

The CHAIRMAN. All right.

Proceed.

Mr. KENNEDY. \$4,000 in dividends was declared out of National Equipment Co. and you went in to set up Test Fleet. National Equipment Co. sold out to Convertible Equipment Leasing Co.

Once, again, we come back.

Convertible Leasing Equipment Co. was operated and owned by Matheson and Bridge.

Mr. HOFFA. Do you know that for a fact?

Mr. KENNEDY. Yes.

Mr. HOFFA. Well, I don't know it.

Mr. KENNEDY. Matheson—

The CHAIRMAN. All right. Does the witness wish to state what the facts are?

Mr. HOFFA. I don't know the facts, Senator. That is why I asked the question.

The CHAIRMAN. Proceed.

Mr. KENNEDY. Mr. Carney Matheson does the negotiating for the Truck-Away and Drive-Away employers.

Mr. HOFFA. Mr. Carney Matheson does not do the negotiation. He is the attorney for them and they have a negotiating committee of employers and union representatives.

Mr. KENNEDY. He said he has been conducting negotiations with the teamsters since 1932 or 1933.

Mr. HOFFA. As an attorney, in the advisory capacity to his clients.

Mr. KENNEDY. We understand that.

Mr. HOFFA. No, no, just a moment. Let's get the record straight. He is not on the negotiating committee. He is their attorney.

Mr. KENNEDY. We have had it described that he does do the negotiating, and also he stated himself that he has done negotiating with the teamsters since 1932 or 1933. At least he is on the committee that does it.

Mr. HOFFA. He is the attorney for the committee.

Mr. KENNEDY. So then the Test Fleet is set up, it is set up by Mr. Wrape who is the attorney for Commercial Carriers, set up in Tennessee, and the stock is in his name and then transferred over to the names of Mr. Hoffa's wife, her maiden name, and Mr. Brennan's wife's maiden name, and at that time they don't have any trucks. They go to Commercial Carriers and Commercial Carriers gets the equipment for them.

Mr. HOFFA. Just a moment. That isn't correct.

Mr. KENNEDY. Through Commercial Carriers——

Mr. HOFFA. That is not a correct statement.

The Senator told me to correct you when you are wrong.

Mr. KENNEDY. Please do. Go ahead.

Mr. HOFFA. The fact was that the equipment was purchased from, I believe, a dealer, but the company had it assigned to them because of a discount that they get on the assignment of equipment.

Mr. KENNEDY. Did Commercial Carriers have anything to do with getting the equipment?

Mr. HOFFA. Only on the assignment is my understanding. I do not believe that you will find, and I will check it, I do not believe you will find anywhere Commercial Carriers name connected with this equipment in title or otherwise.

Mr. KENNEDY. Was Commercial Carriers involved at all in the purchase of the equipment?

Mr. HOFFA. I explained to you how.

Mr. KENNEDY. That they were involved?

Mr. HOFFA. No, I did not. I told you, and I will repeat it, that the equipment was purchased with a mortgage, and that company, because they had a fleet discount, not just to this particular company but to all brokers, all fleet owners, it was purchased using their fleet discount.

(At this point, Senator Goldwater withdrew from the hearing room.)

Mr. KENNEDY. I understand that.

So was the equipment purchased through Commercial Carriers?

Mr. HOFFA. It was not purchased through Commercial Carriers.

Mr. KENNEDY. Did Commercial Carriers have anything to do with the purchase of the equipment?

Mr. HOFFA. Only to the extent I have outlined.

Mr. KENNEDY. I don't understand what that means, if it does not mean what I just said.

Mr. HOFFA. Because you are trying to intimate that Commercial Carriers first owned the equipment and then it was purchased.

Mr. KENNEDY. No, I did not say that.

Mr. HOFFA. Correct it.

Mr. KENNEDY. I didn't say that.

Mr. HOFFA. That is what you said.

Mr. KENNEDY. I said the equipment was purchased through Commercial Carriers.

Mr. HOFFA. You are saying one thing indirectly and another. I say to you that it was purchased by the Test Fleet Co., but that the equipment——

Mr. KENNEDY. Was purchased——

Mr. HOFFA. Just a minute. The equipment was discounted at the discount rate of Commercial Carriers. I will put it that way.

Mr. KENNEDY. So that the equipment was purchased through a discount rate by Commercial Carriers, is that right?

Mr. HOFFA. You put it the way you want, and I will leave my statement stand as it is.

All right?

Mr. KENNEDY. Test Fleet at that time was not able to pay for the equipment, so Commercial Carriers allowed them to keep it for a month, paid them rent for the use of the equipment, and then Test Fleet, in turn, returned that check to them for a downpayment on the equipment that they had purchased, and this arrangement for approximately nine pieces of equipment lasted for some 6 years, lasted up until the present time, and through 1956 Mr. Hoffa's wife had made some \$125,000.

Is that right?

Mr. HOFFA. With a \$54,000 investment.

Mr. KENNEDY. And the investment was an investment originally of \$4,000 of their own money, \$50,000 that was borrowed from a bank in St. Louis, the bank that the Commercial Carriers does business with.

The person who went on the loan as guarantor of the loan was Mr. Beveridge——

Mr. HOFFA. Just a moment. That is not correct.

Mr. KENNEDY. Of Commercial Carriers.

Mr. HOFFA. I don't think you will find anywhere in the record any guarantee of the loan. I think the equipment itself was the security for the loan.

We will check the record, but I don't want that in the record without——

Mr. KENNEDY. Mr. Beveridge arranged to have that loan——

Mr. HOFFA. Mr. Beveridge——

Mr. KENNEDY. Of Commercial Carriers that does business with the teamsters, has contracts with the teamsters?

Mr. HOFFA. Just a moment. Mr. Beveridge may have made a statement that it was a loan of such that would be a good loan. I don't know for sure.

Mr. KENNEDY. Then one other matter I forgot, that Mr. Beidler, the accountant who was the accountant for Commercial Carriers kept the books of Test Fleet for some 4 years and was paid nothing for that except a bonus at one time of \$150.

Mr. HOFFA. That wasn't one time. It was each year, as my recollection, and it was sufficient. I think if you will read Beidler's testimony you will find he was agreeable to it.

Mr. KENNEDY. Was there any salary paid to him?

Mr. HOFFA. Yes, I think there was.

Mr. KENNEDY. After 1953?

Mr. HOFFA. There could have been.

Mr. KENNEDY. Prior to that, for 4 years, there was no salary paid?

Mr. HOFFA. Because of the work that was involved, he was satisfied.

Mr. KENNEDY. And Test Fleet has been able to carry, since it went into operation has been able to carry, the most profitable cars, namely Cadillacs, since 1950, has it not?

Mr. HOFFA. Just the same as other people having Cadillacs did, with no exception, no concessions, nor did anybody assure them of making a profit with the investment.

Mr. KENNEDY. Well, I think that starts us off in some of your business anyway, Mr. Hoffa. Maybe we can get to it some more.

Mr. HOFFA. Thank you.

The CHAIRMAN. Is there anything further?

Senator KENNEDY. The J & H Sales, the first of these companies, did Mrs. Hoffa or Mrs. Brennan invest some money in J & H Sales?

Mr. HOFFA. I would assume they did, Senator. I don't have the knowledge at this moment.

Senator KENNEDY. You do not know what they invested, or how much?

Mr. HOFFA. Offhand I do not, Senator.

The CHAIRMAN. The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:40 p. m., the committee recessed, to reconvene at 2 p. m., the same day.)

(Members present at the taking of the recess: Senators McClellan, Kennedy, Ervin, and McNamara.)

AFTERNOON SESSION

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the hearing were Senators McClellan and Ives.)

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

The CHAIRMAN. All right, Mr. Counsel, proceed.

Mr. KENNEDY. We discussed a number of your businesses this morning, Mr. Hoffa. The one that we originated with or started with was the J. & H. Sales Co.

Could you tell the committee how you got into J. & H. Sales Co., and how did that originate?

Mr. HOFFA. I answered this morning the question, but I cannot tell you exactly how J. & H. Sales originated, since I did not handle the actual transaction of putting the company into business.

Mr. KENNEDY. You don't know or you can't tell the committee what you invested in it?

Mr. HOFFA. I would not be able to tell, but I assume that I can get the facts together.

Mr. KENNEDY. Could you do that?

Mr. HOFFA. Yes.

Mr. KENNEDY. Could you get those facts together for us?

Mr. HOFFA. I think we can.

Mr. KENNEDY. That will be fine.

We were talking this morning about Mr. Carney Matheson who, as I understand it, represents the National Automobile Transportation Association, Truckaway Driveaway division, and who is also the

attorney for Commercial Carriers, and that he had some business relationships with National Equipment.

I wonder if there were any other business relationships that you have had with Mr. Carney Matheson?

Mr. HOFFA. I don't believe that the record shows that I had any business with Carney Matheson on National Equipment and I don't believe that.

Mr. KENNEDY. Now National Equipment Co. was owned by your wife and Mr. Brennan's wife, and they leased this equipment to Baker Driveaway; isn't that correct?

Mr. HOFFA. Go ahead.

Mr. KENNEDY. And Baker Driveaway, as I understand it, Mr. Matheson has some of the stock interest in that.

Mr. HOFFA. I think he was a very very small minority stockholder. (At this point Senator Curtis entered the hearing room.)

Mr. HOFFA. I am quite sure that Mr. Matheson could not be termed as having anything to do with the National Equipment Co.

Mr. KENNEDY. At least he is a stockholder in Baker Driveaway.

Mr. HOFFA. I think he was at that time.

Mr. KENNEDY. And National Equipment Co. leased its equipment to Baker Driveaway, and so for that reason you have had or your company has had some financial transactions with a company in which Mr. Matheson has had an interest.

Mr. HOFFA. It is a matter of construction.

(At this point Senator Kennedy entered the hearing room.)

Mr. KENNEDY. Have you had any other business transactions of any kind with Mr. Matheson?

(The witness conferred with his counsel.)

Mr. HOFFA. Just a minute, and I will try to answer your question.

In the letter I sent you of February 8 on page 2, there is a statement that in 1952 Mr. Hoffa invested in a venture known as P. M. L. Co., whose business was loaning of money to companies. This company suffered a considerable loss and although it has not been dissolved, it is inactive and has been inactive since 1952.

My attorney tells me, although I don't recollect it, that Matheson was some part of that company.

Mr. KENNEDY. What did that company do?

Mr. HOFFA. It invested money into ventures.

Mr. KENNEDY. And who was in the company other than yourself? Was it just Mr. Matheson and yourself?

Mr. HOFFA. Matheson and Louisell.

Mr. KENNEDY. How do you spell that name?

Mr. FITZGERALD. L-o-u-i-s-e-l-l.

Mr. HOFFA. They are both attorneys.

Mr. KENNEDY. Mr. Matheson and Mr. Louisell?

Mr. HOFFA. Both attorneys.

Mr. KENNEDY. Was Mr. Matheson at that time representing the Truckaway and Driveaway division of the National Automobile Association?

Mr. HOFFA. There was another one. Porritt.

Mr. KENNEDY. At this time, just on Mr. Matheson first, was he then representing the Truckaway and Driveaway division?

Mr. HOFFA. Yes, he was, but this had nothing to do with that, and this was a private venture in regard to loaning money for investments and nothing to do with transportation.

Mr. KENNEDY. But he was at that time on the negotiating committee for the employers?

Mr. HOFFA. That is right.

Mr. KENNEDY. And you were an official of the teamsters union?

Mr. HOFFA. That is right.

Mr. KENNEDY. Who is Mr. Louisell?

Mr. HOFFA. An attorney at law.

Mr. KENNEDY. Does he represent any of the employers of the trucking companies?

Mr. HOFFA. He could, and I don't know.

Mr. KENNEDY. In Detroit?

Mr. HOFFA. I say he could, I don't know.

Mr. KENNEDY. You don't know that?

Mr. HOFFA. I don't, offhand.

Mr. KENNEDY. What about Mr. Porritt?

Mr. HOFFA. I don't think Porritt represents anybody.

Mr. KENNEDY. He is an attorney?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. How much did you invest in this company?

Mr. HOFFA. \$20,000.

Mr. KENNEDY. Did that come out of a bank account?

Mr. HOFFA. No, it did not.

Mr. KENNEDY. Where did it come from?

Mr. HOFFA. It came out of my own moneys that I had available.

Mr. KENNEDY. You put that up in cash?

Mr. HOFFA. That is right.

Mr. KENNEDY. Where were you keeping the \$20,000 in cash?

Mr. HOFFA. I borrowed some of the money, and in addition to that—

Mr. KENNEDY. Who did you borrow it from?

Mr. HOFFA. From individuals.

Mr. KENNEDY. From whom?

Mr. HOFFA. Offhand that particular amount of money that I borrowed, I don't know, at this particular moment, but the records of my loans which I requested I have, and out of all of the moneys I loaned over this period of time I went into these various ventures.

Mr. KENNEDY. I am trying to find out where you got the \$20,000 in cash to put up in this company.

Mr. HOFFA. Some money that I saved and some that I borrowed.

Mr. KENNEDY. Where would you keep the money that you saved?

Mr. HOFFA. Well, now, I think that is a personal issue. Unless you can assure me that somebody wouldn't want to take my money, and I shouldn't tell you where I keep it, unless you insist.

Mr. KENNEDY. Would you keep it in a box?

Mr. HOFFA. I would keep it in a safe place.

The CHAIRMAN. The question is, Did it come out of a bank account?

Mr. HOFFA. No, sir; it did not.

The CHAIRMAN. It came from other sources?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And it was all cash that you invested in this company?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. It was \$20,000 in cash that you had around?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. Is that right?

Mr. HOFFA. I said "Yes." What do you mean by "I had it around"?

Mr. KENNEDY. How much did you borrow to make up the \$20,000?

Mr. HOFFA. As I tell you now, I cannot tell you offhand how much money I borrowed at that time, or how much money I had on hand at that time, but I did invest \$20,000 into this venture.

Mr. KENNEDY. Now, do you have your list of loans, and could we have that now?

Mr. HOFFA. I have a list of my loans.

Mr. KENNEDY. Could I have that?

Mr. HOFFA. No. If you want it, I will read it to you.

Mr. KENNEDY. That is all right. Just as long as we get the information, Mr. Hoffa.

Mr. HOFFA. Are you talking about moneys I currently owe?

Mr. KENNEDY. That you what?

Mr. HOFFA. You are talking about moneys that I currently owe?

Mr. KENNEDY. No. You said that you borrowed this back in, I suppose whenever you started this P. M. L. Co., and you told me that you borrowed the money. I asked you where you borrowed it and you said you had a list of your loans.

Mr. HOFFA. Just a moment. I said that I borrowed the money, and then I told you that I had a list of the loans of moneys that I borrowed over a period of time from 1953.

The CHAIRMAN. This is prior to 1953.

Mr. KENNEDY. Is that prior to that.

Mr. HOFFA. I don't know. This was the latter part of 1952.

The CHAIRMAN. You don't have any record of your loans?

Mr. HOFFA. No, sir. I have tried to recap this situation the best I could, and I have come up with the question of moneys that I have here.

The CHAIRMAN. All right.

Mr. KENNEDY. I would like to have that, but you can't tell the committee where you got the rest of this \$20,000? Some of it you had someplace, that you would rather not tell us, in cash, and then you said that you borrowed the rest in cash and you can't tell us from whom you borrowed this cash.

Mr. HOFFA. I would say to you that there should be no inference that there is anything wrong in the fact that I haven't told you where I keep my money, and neither should there be any inference in my opinion for legislative purposes, implying that the money was other than borrowed from a legitimate source and it is legitimate money. Let us don't leave that impression, if you please, now.

I have here the loans from 1953 down. Those loans I have no objection to reading into the record, and you will find the testimony concerning P. M. L. in the congressional hearings of Mr. Hoffman, Clare Hoffman of Michigan.

Mr. KENNEDY. Unfortunately that is nowhere near complete, Mr. Hoffa.

Mr. HOFFA. To the best of my recollection, I don't remember. If you can refresh my recollection, I will be very happy to tell you.

The CHAIRMAN. Before we go to those, let us clear up this other one. As I understand you, in this particular investment, Mr. Hoffa, you said you invested \$20,000?

Mr. HOFFA. That is right, sir.

The CHAIRMAN. Some of the money that you had in cash?

Mr. HOFFA. That is right, sir.

The CHAIRMAN. And the rest of it you borrowed?

Mr. HOFFA. That is right, sir.

The CHAIRMAN. Now, can you tell us the amount that you had in cash and the amount that you borrowed?

Mr. HOFFA. No, sir; I cannot.

The CHAIRMAN. Then can you tell us from whom you borrowed it?

Mr. HOFFA. Offhand, I cannot, sir. I have been trying to refresh my memory and check this up. In such a short period of time I haven't been able to do it, sir.

The CHAIRMAN. All right, proceed.

Mr. FITZGERALD. May I address the Chair for a moment, please?

The CHAIRMAN. Yes, sir.

Mr. FITZGERALD. I would at this time like to raise the objection that these questions and the subject matter covered by the questions are not pertinent to this particular inquiry, and that they do not concern a proper legislative purpose.

Now I think that we are getting in, if the chairman please, to a realm of a man's personnel investments unrelated to the labor field.

I think—may I continue?—I don't want to be legalistic about it and I know the chairman is probably more aware than I am what the recent decision of the Supreme Court is in the Watkins case, and the requirements of the legislative branch of the Government in going into matters of this kind.

But I do believe that we are entitled to know from the committee the grounds upon which they claim that this subject matter is pertinent to this inquiry.

The CHAIRMAN. I will be very glad to tell counsel and his client.

This committee has rather broad jurisdiction, I believe you will agree, under the resolution, and the purpose of inquiring as we have of others in these matters is to try to determine what the situation is with respect to conflicts of interest as between labor leaders and management. We have had a lot of testimony along the line of collusion, as counsel may be aware. We have also had a lot of testimony of misuse of union funds. Of course I can't know whether there is misuse of union funds unless we inquire into it, and where you find these business transactions associated maybe with management, where management is having relations with the labor union of which the one under interrogation is an official.

Those things are, I think, quite proper for us to inquire into. The purpose is to determine what conditions have prevailed, or prevail, so that the Congress may weigh it and pass judgment upon whether it is an improper practice; and if it is an improper practice, what legislation is needed, if any, to remedy the condition.

So far as any private transaction unrelated or what may be unrelated to any union business or conflict of interest or collusion, or misuse of union funds, I don't think that this committee would have any jurisdiction of it.

But we can't know that without making the inquiry and giving the witness the opportunity to answer.

Mr. FITZGERALD. I don't want to quibble with you about that, Senator.

The CHAIRMAN. I can assure you that we are asking no questions here that we haven't asked others under comparable circumstances.

Mr. FITZGERALD. As the Court has specified in the Watkins case, although your power of inquiry is properly broad, and no one finds fault with that, it is not unlimited. We are in a field here now where I think that there is some serious legal question as to whether or not on a matter unrelated or investment unrelated to the labor field or to that portion of the labor field in which the witness is operating, that is pertinent to this particular inquiry.

The CHAIRMAN. Well, if we digress too far, as counsel may think, from our jurisdiction, or from pertinency, counsel of course can make that point.

Mr. FITZGERALD. May I have this understanding: I have been a spectator at some of the hearings earlier, and I know sometimes that lawyers are prone to think they are in court and enter a lot of objections, and I know at times the Chair has been rather abrupt with them on it. I don't want to interrupt the flow of the inquiry, and I don't want to try to attempt to harrass anyone with objections, and I am glad that the chairman will permit me that right.

The CHAIRMAN. Oh, yes. The only thing the Chair would suggest is that if the Chair rules, we don't need to indulge in long speeches. The Chair's ruling may be wrong, but long speeches probably wouldn't cause him to change his mind or that of the committee.

Mr. FITZGERALD. You never argue with the umpire.

The CHAIRMAN. We are delegated to do a certain task, and authorized to do it, and we will try to do it with fairness.

Mr. FITZGERALD. May I confer with Mr. Hoffa for just a moment?

The CHAIRMAN. Yes.

(The witness conferred with his counsel.)

Mr. HOFFA. I will answer the question, and there is no ifs and ands about it. Here is the answer here, and it is very simple.

My counsel has advised me I should do this, and that is what I hire him for.

The CHAIRMAN. All right, sir.

Mr. HOFFA. Abe Farris, \$5,000.

Mr. KENNEDY. Who is he? \$5,000. And this is of what date now?

Mr. HOFFA. This is in the year 1953, to the best of my reconstruction.

Mr. KENNEDY. These are the loans that you had outstanding in 1953?

Mr. HOFFA. These are the loans to the best of my recollection, that I have made trying to compile this list.

Mr. KENNEDY. During 1953?

Mr. HOFFA. Yes, 1953 or 1952, and I am of the opinion that I owed them money in 1953. I know I owed them money in 1953 and I may have borrowed some of it in 1952, and I am not running that down.

Mr. KENNEDY. I understand that.

Now, as you go along, Abe Farris, \$5,000; is that right?

Mr. HOFFA. I may say that you will find the same information in the Hoffman investigation that I gave him and that I will give you, with a few additions since then.

Mr. KENNEDY. That is \$5,000 from Abe Farris?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. That was \$5,000 in cash or by check?

Mr. HOFFA. That is right.

Mr. KENNEDY. You got \$5,000 in cash?

Mr. HOFFA. Yes, sir.

Senator IVES. May I get that cleared up? You say cash, and do you mean currency?

Mr. HOFFA. Yes, sir.

Senator IVES. Thank you.

Mr. HOFFA. That is paid back.

Mr. KENNEDY. You paid that back?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. Did you pay that back by check or by cash?

Mr. HOFFA. By cash.

(At this point Senators McNamara and Goldwater entered the hearing room.)

Mr. HOFFA. When I say cash, I mean currency.

Senator IVES. There is a difference.

Mr. KENNEDY. This was money that you didn't have in a bank account.

Mr. HOFFA. I just recently acquired a bank account.

Mr. KENNEDY. But prior to that, you just had the \$5,000 in cash?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. When did you pay Mr. Farris back?

Mr. HOFFA. Somewhere in 1954 or the latter part of 1953.

Mr. KENNEDY. Was there interest on that?

Mr. HOFFA. No, there was not.

Mr. KENNEDY. Just \$5,000 in cash?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Just an exchange?

Mr. HOFFA. He was a friend of mine.

Mr. KENNEDY. Did you put a note up?

Mr. HOFFA. No, I did not.

Mr. KENNEDY. Any collateral?

Mr. HOFFA. No, I did not.

Mr. KENNEDY. What was the purpose of the loan?

Mr. HOFFA. I probably used it for investments.

Mr. KENNEDY. You can't tell us what it was?

Mr. HOFFA. Offhand; no, sir.

Mr. KENNEDY. You don't know?

Mr. HOFFA. I can't remember.

Mr. KENNEDY. And who is Mr. Farris? What is his job?

Mr. HOFFA. He owns an auction house and a retail furniture store.

Mr. KENNEDY. A what?

Mr. HOFFA. Auction house and retail furniture store.

Senator MUNDT. I have a point of information. I was called to the telephone. Is this part of the \$20,000 that we were discussing a minute ago?

Mr. HOFFA. Part of this could be, sir. Part of this could be very easily.

Senator MUNDT. It could have been part of the \$20,000 that you compiled out of your own money?

Mr. HOFFA. Part of it could be; yes, sir.

Mr. KENNEDY. Has he ever had any connection with the teamsters union?

Mr. HOFFA. Has he had? He has drivers in local union 243.

Mr. KENNEDY. Go ahead.

Mr. HOFFA. Jack Buskin, \$5,000.

Mr. KENNEDY. That is by check or by cash?

Mr. HOFFA. By cash.

Mr. KENNEDY. What year was that?

Mr. HOFFA. Somewhere in 1952 or 1953, and I owed it in 1953.

Mr. KENNEDY. Is he also known as Babe Buskin?

Mr. HOFFA. That is correct.

Mr. KENNEDY. What is his position?

Mr. HOFFA. He is in the cigarette-vending machine business and also a labor relations man for supermarkets.

Mr. KENNEDY. And they have some dealings with the teamsters, do they?

Mr. HOFFA. Yes, 337.

Mr. KENNEDY. Did you pay him back?

Mr. HOFFA. I did.

Mr. KENNEDY. By check or by cash?

Mr. HOFFA. By cash.

Mr. KENNEDY. When did you pay him?

Mr. HOFFA. Offhand I don't recollect; somewhere in 1953 or 1954.

Mr. KENNEDY. Did you get this \$5,000 in cash to pay him back?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. From this source that you would rather not disclose?

Mr. HOFFA. That is right.

Mr. KENNEDY. Did you have any note on that?

Mr. HOFFA. I did not.

Mr. KENNEDY. Did you pay any interest?

Mr. HOFFA. No, sir; I did not.

Mr. KENNEDY. Any collateral?

Mr. HOFFA. No, sir.

Mr. KENNEDY. O. K.

Mr. HOFFA. Joe Holtzman, \$5,000.

Mr. KENNEDY. Joe Holtzman?

Mr. HOFFA. That's right.

Mr. KENNEDY. Who was he?

Mr. HOFFA. He was the partner of Mr. Buskin who is now dead.

Mr. KENNEDY. That was \$5,000 in check or by cash?

Mr. HOFFA. By cash, all of this was by cash.

Mr. KENNEDY. When did you borrow that?

Mr. HOFFA. Somewhere in 1952 or 1953.

Mr. KENNEDY. For what purpose?

Mr. HOFFA. Investments, or for expenditures, and I don't know.

Mr. KENNEDY. You don't know why you borrowed it?

Mr. HOFFA. I don't know offhand. I know I did.

Mr. KENNEDY. He had \$5,000 in cash and he turned it over to you?

Mr. HOFFA. That's right.

Mr. KENNEDY. Did you give him a note?

Mr. HOFFA. No, sir.

Mr. KENNEDY. Did you put up any collateral?

Mr. HOFFA. No, sir.

Mr. KENNEDY. There is no evidence of a loan at all?

Mr. HOFFA. What is that?

Mr. KENNEDY. There is no evidence of the loans at all, no written evidence?

Mr. HOFFA. He knew about it.

Mr. KENNEDY. Both you and he knew about the \$5,000?

Mr. HOFFA. I think Hoffman did, too, and he had it thoroughly investigated and he asked questions.

Mr. KENNEDY. You paid him back?

Mr. HOFFA. That's right.

Mr. KENNEDY. When did you pay him back?

Mr. HOFFA. Somewhere in 1953 or 1954.

Mr. KENNEDY. By cash again?

Mr. HOFFA. That's right. Al Vignali, \$3,000.

Mr. KENNEDY. \$3,000?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. By check or by cash?

Mr. HOFFA. All of this is by cash.

Mr. KENNEDY. I just ask you so we make sure we get it.

Mr. HOFFA. You will get it—all by cash.

Mr. KENNEDY. You got that in what year?

Mr. HOFFA. Somewhere in 1952 or 1953.

Mr. KENNEDY. Who is Al Vignali?

Mr. HOFFA. Business representative of the 299.

Mr. KENNEDY. How do you spell his name?

Mr. HOFFA. V-i-g-n-a-l-i.

Mr. KENNEDY. He is a business agent for local 299?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. When did he loan that to you?

Mr. HOFFA. Somewhere in 1952 or somewhere during 1953.

Mr. KENNEDY. Was there any collateral put up for that loan?

Mr. HOFFA. No.

Mr. KENNEDY. Not any note?

Mr. HOFFA. No.

Mr. KENNEDY. Any interest paid?

Mr. HOFFA. No, sir.

Mr. KENNEDY. When did you pay it back?

Mr. HOFFA. I haven't paid it back.

Mr. KENNEDY. You still owe that to him?

Mr. HOFFA. That's right.

Mr. KENNEDY. You still owe that?

Mr. HOFFA. Yes.

Mr. KENNEDY. Go ahead.

Mr. HOFFA. Paul Allen.

Mr. KENNEDY. Who is he?

Mr. HOFFA. Representing the riggers union.

Mr. KENNEDY. How much did you borrow from him?

Mr. HOFFA. \$2,000.

Mr. KENNEDY. What year?

Mr. HOFFA. Somewhere in 1952 or 1953.

Mr. KENNEDY. You paid him back?

Mr. HOFFA. No, I have not.

Mr. KENNEDY. You have not paid him back?

Mr. HOFFA. No, I have not.

Mr. KENNEDY. That was \$2,000 in cash?

Mr. HOFFA. That's right.

Mr. KENNEDY. For what reason?

Mr. HOFFA. For investments or for some reason I needed it at that time.

Mr. KENNEDY. Did you have any note on that?

Mr. HOFFA. No. Herman Kierdorf, \$2,000.

Mr. KENNEDY. The same thing, in cash?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. No note?

Mr. HOFFA. No note.

Mr. KENNEDY. No collateral?

Mr. HOFFA. That's right.

Mr. KENNEDY. No interest?

Mr. HOFFA. That's right.

Mr. KENNEDY. In 1952?

Mr. HOFFA. Somewhere in 1952 or 1953.

Mr. KENNEDY. And you cannot tell us what it was for?

Mr. HOFFA. No, sir.

Mr. KENNEDY. He gave it to you in cash?

Mr. HOFFA. That's right.

Mr. KENNEDY. Did you pay him back?

Mr. HOFFA. No.

Mr. KENNEDY. The early part of 1952 or when? Was it the early part of 1952 or when?

Mr. HOFFA. I don't recall.

Mr. KENNEDY. You don't remember that either?

Mr. HOFFA. I don't recall.

Mr. KENNEDY. What is Kierdorf's position?

Mr. HOFFA. A representative of, I think, 376 local.

Mr. KENNEDY. Of the teamsters?

Mr. HOFFA. Yes, sir; I think it is 376, the Auto Sales Union, and I am not positive, but I think it is 376.

Senator CURTIS. Will the counsel yield at that point?

You say that you still owe this \$2,000?

Mr. HOFFA. Yes, sir, I do.

Senator CURTIS. Could he bring suit for it and recover it?

Mr. HOFFA. Why, I assume he could, Senator.

Senator CURTIS. Has the statute of limitations not run out?

Mr. HOFFA. Well, I think, Senator, when you are dealing with friends, you very seldom have that problem and all of these fellows happen to be very good friends of mine.

Senator CURTIS. But you have owed that money since 1952 or 1953 and no note or other memorandum has been made in reference to it, is that right?

Mr. HOFFA. Yes, sir, Mr. Hoffman raised the same question, Senator. When I talked to these gentlemen about wanting a note they got highly indignant and they said they didn't need any note, that we knew each other and when we started trading in notes, and whether or not we would pay back, then there would be something wrong with our friendship.

Senator CURTIS. How old a man is Mr. Kierdorf?

Mr. HOFFA. I would say that he is 65.

Senator CURTIS. Does he have a family?

Mr. HOFFA. He has a wife.

Senator CURTIS. That is all at this time.

Mr. KENNEDY. He is a good friend of yours?

Mr. HOFFA. A very good friend of mine.

Mr. KENNEDY. He is not the same Kierdorf that was sentenced to 10 to 25 years in the State penitentiary for armed robbery, is he?

Mr. HOFFA. That is correct.

The CHAIRMAN. Let us have order.

Mr. KENNEDY. That was in 1931. In 1932 he received 18 months in the United States Penitentiary in Leavenworth for impersonating a Government officer?

Mr. HOFFA. That I didn't know.

Mr. KENNEDY. Also, he has been arrested for kidnapping and armed robbery in Canada and in Detroit.

Mr. FITZGERALD. May I address the Chair?

Mr. Chairman, I object to this on the ground that these questions are certainly not pertinent to this particular inquiry and they could not be asked for any proper legislative purpose. All they could do is constitute a smear of an individual who is not directly involved in this matter at all, a man who has, as far as the record is concerned, lived a good, uniform, decent life since he has been released from prison.

Now, I think to bring his name into it at this time and before the entire Nation is to defeat everything that we talk about with regard to rehabilitation. I don't think Mr. Kennedy realizes the importance of it. So I don't think that it is pertinent to this inquiry and I am sorry that I have to object, but I think that I am on solid ground.

If it is a person with a recent record or something like that, that is different.

The CHAIRMAN. I do not know how far the record goes back. Of course, counsel knows. We are confronted with a problem here, and we have had testimony of some characters in labor organizations that does not smear them maybe, but smears the organization.

I do not want to ask witnesses questions for the purpose of embarrassment. That is not the point. We are trying to do that and we should not try to do that.

But, wherever anything is relevant to this subject matter, we want to inquire into it.

Let us proceed and the Chair will observe a little closer.

Mr. KENNEDY. I would like to say in that connection, without naming the other names, of those whom Mr. Hoffa has already listed that he borrowed money from that work for the teamsters, that both of the other gentlemen have long police records in addition to the one that I have just mentioned.

Mr. HOFFA. For instance, what record has Vignali got?

Mr. KENNEDY. The record shows he has been arrested nine times for bookmaking.

Mr. HOFFA. Was he convicted?

Mr. KENNEDY. No. He was arrested for malicious destruction of property and received 1 year probation.

Mr. HOFFA. How long ago was that?

Mr. KENNEDY. Well, it starts back in 1931.

Mr. HOFFA. He wasn't working for us at that time.

Mr. KENNEDY. Then Roland McMasters in 1932, business agent, local 299—do you want me to go through it?

Mr. HOFFA. You can't embarrass me by it. Go right ahead.

Mr. KENNEDY. Attempted larceny.

Mr. HOFFA. If people work for me, I am perfectly willing to accept the responsibility for hiring them and accept the responsibility for their actions.

Mr. KENNEDY. If you are questioning whether these people have police records, I will be——

Mr. HOFFA. You're the one who is questioning them.

Mr. KENNEDY. I made a statement of fact.

The CHAIRMAN. Let us proceed.

Mr. HOFFA. It is a matter of embarrassment, but go ahead.

The CHAIRMAN. It is certainly important to the record and we can get it in there. If the witness wants to question any part of it, why, he may do so and we can check on it and ascertain the correctness of it.

Let us proceed with the others.

Mr. KENNEDY. Go ahead.

Mr. HOFFA. Marshall DuBach, D-u-B-a-c-h, \$2,000.

Mr. KENNEDY. What is his position?

Mr. HOFFA. He is a representative of local 337.

Mr. KENNEDY. When did you borrow that money?

Mr. HOFFA. Somewhere in 1952 or 1953.

Mr. KENNEDY. In cash?

Mr. HOFFA. That's right.

Mr. KENNEDY. For what reason?

Mr. HOFFA. For the reason of investments or some expenditure that I needed at that time.

Mr. KENNEDY. Have you paid that back?

Mr. HOFFA. No; I have not.

Mr. KENNEDY. Was there any collateral?

Mr. HOFFA. No, sir; there is not.

Mr. KENNEDY. Was there any note?

Mr. HOFFA. No, sir.

Mr. KENNEDY. Any interest you are paying?

Mr. HOFFA. No.

Mr. KENNEDY. O. K. Is that all?

Mr. HOFFA. No. George Roxburgh, \$1,000.

Mr. KENNEDY. Did we identify DuBach?

Mr. HOFFA. Yes, sir; you did.

Mr. KENNEDY. Who is the next one?

Mr. HOFFA. George Roxburgh.

Mr. KENNEDY. Who is George Roxburgh?

Mr. HOFFA. Representative of local 299, and I see that you have the names in front of you there.

Mr. KENNEDY. And what did you borrow from him?

Mr. HOFFA. I borrowed \$1,000.

Mr. KENNEDY. In cash?

Mr. HOFFA. That's right.

Mr. KENNEDY. And when did you borrow it?

Mr. HOFFA. Somewhere in 1952 or early part of 1953.

Mr. KENNEDY. For what reason?

Mr. HOFFA. For investments or some expenditures that I needed it for.

Mr. KENNEDY. And was there any collateral?

Mr. HOFFA. No, there wasn't.

Mr. KENNEDY. Any note?

Mr. HOFFA. No, there wasn't.

Mr. KENNEDY. Any interest paid?

Mr. HOFFA. No, sir, there wasn't.

Mr. KENNEDY. That was in cash, I guess you said that.

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. You have not paid that back?

Mr. HOFFA. I have not.

Mr. KENNEDY. Go ahead.

Mr. HOFFA. Al Squires, \$1,000.

Mr. KENNEDY. The same answers on that one to all of the questions I have asked you before?

Mr. HOFFA. That's right.

Mr. KENNEDY. What is his occupation?

Mr. HOFFA. Representative of 299.

Mr. KENNEDY. You cannot tell us what you did with that money?

Mr. HOFFA. Offhand I can't.

Mr. KENNEDY. You have not paid that back?

Mr. HOFFA. No, I have not.

Mr. KENNEDY. Did Mr. Bellino ask you whether you paid any of this money back when he questioned you out in Detroit?

Mr. HOFFA. I never discussed it with Mr. Bellino.

Mr. KENNEDY. You never discussed this?

Mr. HOFFA. Not to my recollection or knowledge.

(The witness conferred with his counsel.)

Mr. KENNEDY. You did not discuss it with both Mr. Salinger and Mr. Bellino?

Mr. HOFFA. Mr. Fitzgerald reminded me that we did discuss the question of loans, but not individuals. Is that correct, Mr. Bellino, or not?

Mr. BELLINO. You said, Mr. Hoffa, that you had paid all of the loans back in 1953 and 1954 and 1955.

Mr. HOFFA. I said no such thing.

The CHAIRMAN. We will proceed. Your testimony is that you did not say it.

Senator IVES. I would like to raise a question right here.

Mr. Hoffa, are you through with your list?

Mr. HOFFA. No, sir; I am not.

Senator IVES. When you get through, I have a question I would like to ask you.

The CHAIRMAN. Proceed.

Mr. HOFFA. William Bell, \$1,000.

Mr. KENNEDY. Who is that?

Mr. HOFFA. William Bell, B-e-l-l.

Mr. KENNEDY. What is his position?

Mr. HOFFA. Representative of 299.

Mr. KENNEDY. When did you borrow that?

Mr. HOFFA. Same period.

Mr. KENNEDY. For what purpose?

Mr. HOFFA. I cannot recall offhand for what purpose.

Mr. KENNEDY. Did you borrow all of this money on the same day or the same period?

Mr. HOFFA. I can't recall that.

Mr. KENNEDY. Was all 1952 or 1953 and you can't tell us at all?

Mr. HOFFA. I can't place it.

Mr. KENNEDY. You don't know what it was for?

Mr. HOFFA. It was for expenditures that I needed at that time. I can't recall offhand.

Mr. KENNEDY. This was in cash also?

Mr. HOFFA. That is right.

Mr. KENNEDY. And no collateral, and no note?

Mr. HOFFA. That is right.

Mr. KENNEDY. And no interest paid?

Mr. HOFFA. That is right.

Mr. KENNEDY. Has it been paid back?

Mr. HOFFA. No, it has not.

Mr. KENNEDY. O. K.

Mr. HOFFA. Frank Fitzsimmons.

Mr. KENNEDY. How much money from him?

Mr. HOFFA. \$2,000.

Mr. KENNEDY. What is his position?

Mr. HOFFA. A representative and vice president of 299.

Mr. KENNEDY. Does he have any other position?

Mr. HOFFA. Yes, he is, I think, secretary-treasurer of the Michigan conference, offhand.

Mr. KENNEDY. You borrowed \$2,000 in cash from him?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. In 1952 or 1953?

Mr. HOFFA. Somewhere around there; yes, sir.

Mr. KENNEDY. You don't know what it was for?

Mr. HOFFA. For expenditures of some description we had at that time.

Mr. KENNEDY. Any collateral?

Mr. HOFFA. No collateral.

Mr. KENNEDY. Any note?

Mr. HOFFA. No.

Mr. KENNEDY. Any interest?

Mr. HOFFA. No.

Mr. KENNEDY. Have you paid him back?

Mr. HOFFA. No.

Mr. KENNEDY. Any others?

Mr. HOFFA. Joe Prebenda. Just a minute. I passed one. Donald McMasters.

Mr. KENNEDY. I thought you gave McMasters.

Mr. HOFFA. You did.

Mr. KENNEDY. I did?

Mr. HOFFA. Yes.

Mr. KENNEDY. O. K. \$1,000.

Mr. HOFFA. And Joe Prebenda.

Mr. KENNEDY. Has McMasters been paid back?

Mr. HOFFA. No, sir.

Mr. KENNEDY. That money hasn't been paid back yet and the same answers to the same questions?

Mr. HOFFA. That is right.

James Clift—

Mr. KENNEDY. Joe Prebenda, you haven't finished with him.

Mr. HOFFA. \$2,000.

Mr. KENNEDY. What is he?

Mr. HOFFA. A representative of the newspaper drivers.

Mr. KENNEDY. That was cash?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. No interest?

Mr. HOFFA. That is right.

Mr. KENNEDY. No collateral or note?

Mr. HOFFA. That is right.

Mr. KENNEDY. Have you paid that back?

Mr. HOFFA. No.

James Clift, \$1,000.

Mr. KENNEDY. How do you spell his name?

Mr. HOFFA. C-l-i-f-t. \$1,000.

Mr. KENNEDY. What is his position?

Mr. HOFFA. Representative of local 337.

Mr. KENNEDY. When was that borrowed?

Mr. HOFFA. The same period of time; 1952 or 1953.

Mr. KENNEDY. In cash again?

Mr. HOFFA. That is right.

Mr. KENNEDY. No collateral?

Mr. HOFFA. That is right.

Mr. KENNEDY. No note?

Mr. HOFFA. That is right.

Mr. KENNEDY. No interest?

Mr. HOFFA. That is right.

Mr. KENNEDY. Have you paid him back?

Mr. HOFFA. No.

Mr. KENNEDY. You haven't paid him back?

Mr. HOFFA. Not yet.

Mr. KENNEDY. All right.

Mr. HOFFA. J. L. Keeshin, \$5,000, paid back.

Mr. KENNEDY. That was borrowed in cash?

Mr. HOFFA. That is right.

Mr. KENNEDY. It was a note?

Mr. HOFFA. No note.

Mr. KENNEDY. No collateral?

Mr. HOFFA. That is right.

Mr. KENNEDY. No interest?

Mr. HOFFA. That is right.

Mr. KENNEDY. When did you pay him back?

Mr. HOFFA. Sometime in 1953 or 1954, and I don't recall offhand.

Mr. KENNEDY. How did you pay him?

Mr. HOFFA. I sent him a money order, and I think a money order if I am not mistaken. Some kind of a draft I sent him.

Mr. KENNEDY. How did you purchase the money order?

Mr. HOFFA. I think at a bank.

Mr. KENNEDY. What did you use to purchase the money order?

Mr. HOFFA. Cash.

Mr. KENNEDY. Is that from this source that you would rather not tell us about, where the cash came from?

Mr. HOFFA. It might be from some of the source I have here, I don't know.

Mr. KENNEDY. But it wasn't from a bank?

Mr. HOFFA. It was not.

The CHAIRMAN. Mr. Hoffa, who is Mr. Keeshin?

Mr. HOFFA. He is the owner of the Keeshin Freight Lines, or was at one time, and now owns it. I guess it is Keeshin Freight, and he had bought a new company and he has the old name back and I think it is Keeshin Freight Lines.

The CHAIRMAN. The name rang a bell with me.

Mr. HOFFA. Jack Keeshin.

The CHAIRMAN. I think we had had some testimony from him in another hearing at one time. He is from Chicago, as I recall.

Mr. HOFFA. That is correct.

Mr. KENNEDY. He is the owner of what?

Mr. HOFFA. I want to say also, speaking on advice of my attorney, that I have been checked by Internal Revenue on these figures, and investigators of your committee I am sure were around to see these individuals.

Now I have some other loans.

Mr. KENNEDY. Who is Mr. Keeshin? He is owner of what?

Mr. HOFFA. He is owner of a truckline.

Mr. KENNEDY. A truckline?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Now is it the Conklin Truck Line?

Mr. HOFFA. No. I think he got the old name "Keeshin" back.

Mr. KENNEDY. He used to be Conklin?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Do they have contracts with the teamsters?

Mr. HOFFA. That is correct.

Mr. KENNEDY. They have a number of drivers, is that right, belonging to the teamsters union?

Mr. HOFFA. That is right. I may say that my members have been informed of these loans, by newspapers, and by Mr. Hoffman making it public knowledge.

Mr. KENNEDY. All right.

Mr. HOFFA. July 1955, \$5,000, I borrowed.

Mr. KENNEDY. From whom?

Mr. HOFFA. What I call an advance on salary from my local union.

Mr. KENNEDY. Local what?

Mr. HOFFA. 299.

Mr. KENNEDY. Have you paid that back?

Mr. HOFFA. It was paid back according to the records of my secretary in September of the same year. I signed a note for the money, and also signed that if something should happen to me, the insurance money or the money in the retirement fund would take care of the loan.

Mr. KENNEDY. Did you receive that by check?

Mr. HOFFA. That is correct.

Mr. KENNEDY. How did you pay them back?

Mr. HOFFA. Cash.

Mr. KENNEDY. You got the cash and paid them back?

Mr. HOFFA. That is right. October 1955, \$2,976.30.

Mr. KENNEDY. Would you give me that again?

Mr. HOFFA. October 1955, \$2,976.30.

Mr. KENNEDY. From whom was that?

Mr. HOFFA. Again that is my old local union; 299, advancement.

Mr. KENNEDY. What did you do with this money, \$5,000 and the \$2,000?

Mr. HOFFA. Offhand, the \$5,000 I don't know. I notice that the \$2,000 I loaned to a fellow named Hanna.

Mr. KENNEDY. Who is he?

Mr. HOFFA. A man who operates a hospital.

Mr. KENNEDY. And you got \$2,000 by check from your local?

Mr. HOFFA. What is that?

Mr. KENNEDY. You got \$2,000 by check?

Mr. HOFFA. \$2,976.30.

Mr. KENNEDY. Mr. Brennan also got a check for that amount.

Mr. HOFFA. I think for an equal amount. I am quite sure.

Mr. KENNEDY. And you loaned the money out then?

Mr. HOFFA. We loaned it to a friend of ours who was in need of money, who operates I think it is Mayberry Sanitarium, isn't it, Mr. Bellino, or Maybury Sanitarium?

Mr. KENNEDY. Has that money been paid back?

Mr. HOFFA. That is right.

Mr. KENNEDY. Did you pay that back by cash?

Mr. HOFFA. It was a check issued by them to me and we cashed it and gave them the money, and I am sure of that. The check was issued, I am quite sure, to Brennan and to myself for the money, and I am quite sure we cashed it and paid it back.

Is that right, Mr. Bellino?

Mr. KENNEDY. We do not know the answers.

Mr. HOFFA. You do, and you checked the record and you know whether it is right or not.

Mr. KENNEDY. Did you pay this back?

Mr. HOFFA. According to the records——

Mr. KENNEDY. You have not made 299 available and we have not been able to go through that.

Mr. FITZGERALD. I might say that is my fault, Mr. Kennedy. It is not Mr. Hoffa's fault and we are trying to do that, and you probably will get an answer on it today.

Mr. KENNEDY. I hope so.

Mr. FITZGERALD. You have kept us a little busy.

Mr. KENNEDY. Did you pay that money back, Mr. Hoffa?

Mr. HOFFA. Well, apparently, I paid \$400 in October of 1955.

Mr. KENNEDY. Have you paid any of the rest of it?

Mr. HOFFA. I will have to get to that as I go along, because I have paid this money back to the local union and the period I will give you as I go along.

I got this out of the records, by the way, of the union, and so I assume that the secretary copies it out right and I am just reading from what was given to me.

The CHAIRMAN. All right.

Mr. HOFFA. In May 1956, there was a \$2,000 loan, again with the same security.

Mr. KENNEDY. From whom was that?

Mr. HOFFA. 299. Then in September of 1956, apparently, I paid back \$5,976.30.

Mr. KENNEDY. What date was that?

Mr. HOFFA. September of 1956. Apparently, I paid back \$5,976.30.

Mr. KENNEDY. Was that cash or check?

Mr. HOFFA. Cash.

Mr. KENNEDY. Now, as I understand it, in September of 1955 you paid \$5,000 in cash back.

Mr. HOFFA. No, I didn't say that. I said I borrowed it in July and in September \$2,700 went back.

Mr. KENNEDY. Was that a check or cash?

Mr. HOFFA. Cash.

Mr. KENNEDY. That was \$2,700?

Mr. HOFFA. That is right.

Mr. KENNEDY. In September of 1955, and then in September of 1956 you paid how much back?

Mr. HOFFA. I think we have to get this straightened out. We have May of 1956, is that correct? It was a \$2,000 loan.

Mr. KENNEDY. Yes?

Mr. HOFFA. Then, in September I apparently paid back \$5,976.30.

Mr. KENNEDY. I am just trying to work out the money that you paid back.

Mr. HOFFA. So am I.

Mr. KENNEDY. You paid back \$2,700 in September of 1955?

Mr. HOFFA. That is right.

Mr. KENNEDY. In cash?

Mr. HOFFA. Yes, sir, \$300 in 1955.

Mr. KENNEDY. \$300 in addition?

Mr. HOFFA. In October, and \$5,976 in September of 1956.

Mr. KENNEDY. That was cash?

Mr. HOFFA. That's right.

Then, I borrowed \$6,000 in 1956 in October.

Mr. KENNEDY. Yes?

Mr. HOFFA. Then in November of 1956 I paid back \$1,000.

Mr. KENNEDY. Is that cash?

Mr. HOFFA. Yes, sir. Then, on February of 1957 I paid back \$6,000, which according to the records is the total amount of money paid back that I borrowed.

Mr. KENNEDY. You are all even?

Mr. HOFFA. That's right.

Mr. KENNEDY. That last payment was in February of 1957 was what?

Mr. HOFFA. I beg your pardon?

Mr. KENNEDY. That last payment was what?

Mr. HOFFA. \$6,000 according to the records here.

Mr. KENNEDY. Currency?

Mr. HOFFA. Yes, sir. All of this security on the moneys I have in my retirement plan, and also in case of death I have an insurance policy which would also take care of the indebtedness to my local union.

The CHAIRMAN. Were these loans from the union drawing interest?

Mr. HOFFA. No, sir.

The CHAIRMAN. All right.

Mr. HOFFA. To continue on the money that I owe, or I borrowed, Mr. H. L. Grosberg, \$4,000.

Mr. KENNEDY. What date was that?

Mr. HOFFA. Well, in 1955, that is the best I can give.

Mr. KENNEDY. Who is he?

Mr. HOFFA. An accountant.

Mr. KENNEDY. Who is he accountant for?

Mr. HOFFA. Of our organization and other organizations.

Mr. KENNEDY. Of the teamsters?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. You borrowed how much from him?

Mr. HOFFA. I borrowed \$4,000 at that time.

Mr. KENNEDY. Was that a check or cash?

Mr. HOFFA. Well, I don't know whether he gave me a check or cash, and I can't answer it at this moment.

Mr. KENNEDY. Have you paid him back?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. How did you pay him back?

Mr. HOFFA. Cash.

Mr. KENNEDY. When did you pay him back?

Mr. HOFFA. When did I pay him back?

Mr. KENNEDY. Yes.

Mr. HOFFA. Actually, I don't have a record when I paid him back; there is one other I don't have a record of. There are two here I don't have a record of when I paid back and I don't know what happened to them.

I can't understand why it wasn't placed on here, but it is marked, "paid back," so I assume we can get you the date if you want it.

Mr. KENNEDY. Please do.

Mr. HOFFA. Mr. Bellino will be there some time I imagine next week and we will work it out.

Mr. H. L. Grosberg, 1956, \$7,500. I see a notation here that that was paid back.

Mr. KENNEDY. Do you know when you paid him back?

Mr. HOFFA. No, I will have to get that information.

Mr. KENNEDY. Do you remember paying him back?

Mr. HOFFA. It is marked here, "paid back," and I assume I paid him back.

Mr. KENNEDY. You can't remember whether you paid somebody back in the last year \$7,500?

Mr. HOFFA. Well, I imagine I can if I get the records. I don't have them here, and I thought they were complete here.

Mr. KENNEDY. But you cannot remember that yourself, \$7,500?

Mr. HOFFA. I know it is paid back and let us put it on that basis.

Mr. KENNEDY. How did you pay him back?

Mr. HOFFA. Currency, and I am quite sure I cashed a check that was paid back to me.

Mr. KENNEDY. You cashed a check?

Mr. HOFFA. I am quite sure. I loaned the money again to a man named Hanna.

Mr. KENNEDY. The same man that you loaned to before?

Mr. HOFFA. That's right. And I am quite sure that the check he gave me back I cashed. I think this is all out of "guess" and I want you to understand that. I cashed the check and paid the local, or I could have countersigned the check and I don't know which, but it was paid back and it is a matter of record and I think it has been checked by your committee.

Mr. KENNEDY. But it came right from him, back to Mr. Grosberg, as I understand it.

Mr. HOFFA. Yes.

Mr. KENNEDY. O. K.

Mr. HOFFA. And there was a check from local 299 in 1956, \$5,023.70. The record shows that that has been paid back.

Mr. KENNEDY. What was that for?

Mr. HOFFA. It was a loan again, and a combination of the two loans that I made to Hanna, where I underwrote the loans.

Mr. KENNEDY. Did the union make the loan or did you make the loan?

Mr. HOFFA. No, this one came from Mr. Grosberg and the other came from 299.

Mr. KENNEDY. What did you have to do with it? Do you mean the money was loaned to you and you loaned it?

Mr. HOFFA. So I would have proper security for it in case there should be something happen and the organization would not have to suffer.

Mr. KENNEDY. Have you paid that back?

Mr. HOFFA. That is correct. According to the chart it is paid back.

Mr. KENNEDY. Excuse me?

Mr. HOFFA. According to the chart it is paid back.

The CHAIRMAN. When you borrowed money from the union and loaned it to others, did the union get any interest?

Mr. HOFFA. No. If I recollect correctly, I didn't either, Senator.

The CHAIRMAN. All right.

Senator IVES. Just a minute, Mr. Chairman.

The union was not getting any interest on the money anyway, was it?

Mr. HOFFA. I imagine in the savings account.

Senator IVES. Was that where it was, where you took it from? You took money from the savings account when you did this?

Mr. HOFFA. Well, the checking account, but I think also you will find that some of this money that I borrowed was cash money that the union had in a box. I think you will find that.

Senator IVES. To the extent the union was getting interest on a savings account, or savings-account money, it was losing when you did this?

Mr. HOFFA. It could have been a checking account because I don't think that there was any question of interest. I don't think that there is a savings account, Senator, and I will have to check that and let you know.

Senator IVES. That is all right. Are you through with your list?

Mr. HOFFA. I have two more.

Henry Lower, \$25,000.

Mr. KENNEDY. Who is Henry Lower?

Mr. HOFFA. I believe, and don't hold me to it, I won't give the title, but he has a title in Sun Valley, I believe.

Mr. KENNEDY. Sun Valley, Fla.?

Mr. HOFFA. Sun Valley, Inc., and I think Mr. Bellino knows.

Mr. KENNEDY. We are counting on you to give us information.

Mr. HOFFA. I am giving you the best I can give you and if you want it correct, I think that they should assist a little bit, and they have it.

Mr. KENNEDY. That is \$25,000 that you borrowed from Henry Lower?

Mr. HOFFA. That's right.

Mr. KENNEDY. Who was Henry Lower? How did you know Henry Lower?

Mr. HOFFA. Henry Lower at one time was a representative of the teamsters union.

Mr. KENNEDY. He used to represent the teamsters union, and what does he do now?

Mr. HOFFA. He now is in real estate.

Mr. KENNEDY. Where is he in real estate?

Mr. HOFFA. In Detroit, Florida, and I don't know where else.

Mr. KENNEDY. When was this loan of \$25,000?

Mr. HOFFA. I believe it was last year and I haven't got the date and I don't know why it isn't here but I believe it was last year.

Mr. KENNEDY. And he loaned the money to you?

Mr. HOFFA. That is right.

Mr. KENNEDY. Do the teamsters have any arrangement or financial arrangement with Mr. Lower or any companies associated with him?

Mr. HOFFA. The teamsters did not owe Mr. Lower or Mr. Lower did not owe the teamsters, at that time, any money.

Mr. KENNEDY. Does Mr. Lower or any of his companies have any relationship, business relationship, with the teamsters union?

Mr. HOFFA. Only so far as the fact that the teamsters members can buy lots in Florida, if they care to, from Mr. Lower.

Mr. KENNEDY. Anybody can buy lots in Florida.

Mr. HOFFA. You asked me a question and I answered it.

Mr. KENNEDY. Do you mean that there is no other relationship?

Mr. HOFFA. He is not an officer of the teamsters union. Let me see. I think maybe without salary, he might be a special agent.

The CHAIRMAN. Special agent for the teamsters?

Mr. HOFFA. He might be on certain incidents, we may need him to do something and he may have the capacity to advise, but I don't think, Senator, that he is presently an officer, or presently a paid representative.

As a matter of fact, I am almost sure and I will check it for you.

Mr. KENNEDY. Could we get that again?

Mr. HOFFA. I do not believe that Mr. Lower is a paid representative of the teamsters union, but I believe that he is a special agent, and I will check that, also, and give you the answer.

The CHAIRMAN. What do you mean by "special agent"?

Mr. HOFFA. On certain assignments.

The CHAIRMAN. Sometimes they employ him?

Mr. HOFFA. On certain assignments.

The CHAIRMAN. On special assignments?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. All right.

Mr. KENNEDY. First, what did you do with the \$25,000 from Mr. Lower?

Mr. HOFFA. Bought bonds.

Mr. KENNEDY. You bought bonds?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. What kind of bonds?

Mr. HOFFA. Fruehauf Trailer.

Mr. KENNEDY. You bought Fruehauf Trailer bonds?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. When did you buy the Fruehauf Trailer bonds?

Mr. HOFFA. Well, I think it was the early part of last year or the latter part of 1955. I am not sure.

Mr. KENNEDY. Does Fruehauf have any bargaining relationship with the teamsters?

Mr. HOFFA. Do they have any bargaining? Yes, sir. They came off the stock market and a very bad investment, so far as I was concerned. I don't want to hurt their stock. I just personally couldn't carry the burden of the stock because I didn't have the money.

Mr. KENNEDY. You borrowed the \$25,000.

Mr. HOFFA. But it was a good investment as a financial transaction if you could carry the loan.

Mr. KENNEDY. Did you put interest to Mr. Lower?

Mr. HOFFA. No.

Mr. KENNEDY. Was any collateral put up?

Mr. HOFFA. No.

Mr. KENNEDY. Did you put a note up?

Mr. HOFFA. No. I did sign a note for \$50,000, or countersigned a note for Mr. Lower for \$50,000.

Mr. KENNEDY. For what was that?

Mr. HOFFA. To be able to go into the real-estate business. And I have now signed one for \$25,000 for Mr. Lower and I don't have any security from him either.

Mr. KENNEDY. What do you mean? He wanted to go into the real-estate business?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. Where was he going into the real-estate business?

Mr. HOFFA. He first started in Florida, I believe.

Mr. KENNEDY. That is where he has the lots?

Mr. HOFFA. Then, I think he is in the real-estate business in Detroit.

Mr. KENNEDY. He has lots down in Florida that he sells?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Where did he borrow the money from?

Mr. HOFFA. From a bank, I believe, in Florida, and he borrowed the first money from Commonwealth, in Detroit, which I cosigned and I think he now has a loan from one of the banks in Florida.

Mr. KENNEDY. How much did you cosign it for?

Mr. HOFFA. \$50,000 one time and \$25,000 another. I——

Mr. KENNEDY. He is paying interest to the bank on that?

Mr. HOFFA. I assume he is.

Mr. KENNEDY. What bank was that?

Mr. HOFFA. I believe the first one was Commonwealth, and I think the second one was Commonwealth that I cosigned, and I believe, or I don't know the name of the other bank.

Senator MUNDT. Have you paid Mr. Lower back his \$25,000?

Mr. HOFFA. No, sir; not yet.

Mr. KENNEDY. We have a bank statement on this loan, the second loan.

Mr. HOFFA. You are talking about the one on the Igloo?

Mr. KENNEDY. The Igloo? I didn't know that one. What is that?

Mr. HOFFA. I think that is what Mr. Lower borrowed the money for.

Mr. KENNEDY. What is the Igloo?

Mr. HOFFA. That is a drive-in arrangement.

Mr. KENNEDY. Where is that?

Mr. HOFFA. In Detroit. I think that is the last one I cosigned with him.

Mr. KENNEDY. How much is that for?

Mr. HOFFA. I believe it is \$25,000. I am quoting this from memory, and so if there is a correction I will have to give it to you.

Mr. KENNEDY. I think it is for Sun Valley and did you sign two for Sun Valley or cosign two?

Mr. HOFFA. I don't think so. I think that I signed one for Sun Valley. This could very easily be Sun Valley Co., and do you have a \$50,000 and a \$25,000?

Mr. KENNEDY. Let me have you look at it and then you can tell us.

Mr. HOFFA. I couldn't tell you because I don't think I ever saw those papers. Even if I looked at them, I don't think that I could help you. I will if you want.

Mr. KENNEDY. I believe there is just one more.

Senator IVES. Mr. Chairman, while the counsel is looking up something, I would like to ask Mr. Hoffa again if he is through with his list.

Mr. HOFFA. There is one more.

The CHAIRMAN. Let us proceed with the one more while counsel is checking something.

Mr. HOFFA. \$25,000 from Marold Marx.

The CHAIRMAN. When was that, Mr. Hoffa?

Mr. HOFFA. I think that was the latter part of 1955 or the early part of 1956.

The CHAIRMAN. Was that secured in any way?

Mr. HOFFA. No, and I have paid back, I believe—I am trying to do this from recollection because, apparently, I did not get the figure of what I paid back, but I think that I paid seven or eight thousand dollars.

I have signed a note for it, excuse me. I did sign a note for it.

The CHAIRMAN. For this you had signed a note?

Mr. HOFFA. Yes.

The CHAIRMAN. Does that conclude your list now?

Mr. HOFFA. Yes, but I want to say I may have signed a lot for Lower and I am not sure and I am trying to run through my mind here whether I did or not, and I will check it and let you know.

Senator IVES. There are some questions that still remain unanswered here.

I take it, Mr. Hoffa, that you have given us a list of all that you have borrowed and all that you owe at the present time, the amounts borrowed being since 1952, is that correct?

Mr. HOFFA. To the best of my recollection, I have tried to do it, yes, sir.

Senator IVES. Well, all right. Nobody can do better than try to recollect and no one is trying to pin you down on this, but do you recollect how much you owed at the beginning of 1953?

Mr. HOFFA. I think somewhere, a little better than \$30,000.

Senator IVES. All of this that you have borrowed or you are relating now has occurred since 1953?

Mr. HOFFA. Since January 1, 1953 or 1952. Some of it, as I say, the first one I read off to you, I didn't have the dates, and it is somewhere from the latter part of 1952 into 1953, those loans.

Senator IVES. You probably have some in 1952 that are not there, is that not right?

Mr. HOFFA. Well, if there is I can't recall them and I did my best to recall them.

Senator IVES. But you thought as of January 1, 1953, you had owed about \$30,000?

Mr. HOFFA. Somewhere around there, Senator. I think there is a record.

Senator IVES. All right. That being the situation, then, there is something there that you still owe, I take it, because as I understand—

Mr. HOFFA. I think I owe around seventy-some thousand dollars.

Senator IVES. At the present time?

Mr. HOFFA. That is correct.

Senator IVES. That includes the \$30,000?

Mr. HOFFA. Part of it, sir. Part of it was paid back.

Senator IVES. Your total indebtedness at the present time is \$70,000?

Mr. HOFFA. Well, on these loans; yes, sir.

Senator IVES. Those loans?

Mr. HOFFA. Yes, sir.

Senator IVES. That does not include the \$30,000 you are talking about?

Mr. HOFFA. No. Excuse me. I don't want to confuse you, but maybe I am.

Senator IVES. I am trying to find out how much you owe.

Mr. HOFFA. Well, in part of 1952 and 1953, I borrowed the money that I mentioned first without collateral, and then \$20,000 of that was paid back. So let's just figure up real quick. Roughly \$18,000 would be owed in 1953, sir.

Senator IVES. What does that make the total indebtedness at the present time?

Mr. HOFFA. Around about \$70,000, I think.

Senator IVES. Around \$70,000?

Mr. HOFFA. I think so.

Senator IVES. Some of that is secured by a note, I understand.

Mr. HOFFA. Yes, sir, \$50,000, I believe.

Senator IVES. You had collateral back for the rest of it?

Mr. HOFFA. No, not the agents.

Senator IVES. As I understand you to say when you talked about the money that you borrowed from local 299, you did secure that with your retirement, life insurance and matters of that type.

Mr. HOFFA. That is right.

Senator IVES. Have you used any of those matters now to secure this?

Mr. HOFFA. No, sir; I have not.

Senator IVES. What happens, if anything happens to you? Who takes care of paying off this money that you owe?

Mr. HOFFA. It would probably be a problem.

Senator IVES. Probably who?

Mr. HOFFA. There will be a problem.

Senator IVES. I would think there might be. I was wondering if you were not carrying insurance to take care of that.

Mr. HOFFA. Well, I have considerable insurance, but I don't know whether or not it would take care of it. I have talked to my lawyers and we have discussed the question of working out notes. However, on the personal loans from the fellows that work with me, I question whether they will take notes.

Senator IVES. That is the next thing I was coming to. Apparently the people from whom you borrowed this money do not care.

Mr. HOFFA. They do care; yes, sir.

Senator IVES. They do?

Mr. HOFFA. I imagine they would.

Senator IVES. Well, they do not ask for security. They do not care whether it is secured or not. They do not care whether there is any record of it or not. Is that right?

Mr. HOFFA. Senator, all I can say is that my friendship is such with the individuals involved that I haven't had a problem.

Senator IVES. Let me tell you something about that, Mr. Hoffa. I have had close friends in my life during past years and I have borrowed from them now and then. I have had to. I think nearly everybody has been up against that at one time or another. But I do not remember having borrowed money from an individual without giving them a note. It is very interesting to find someone who has such friends as you have and to be able to borrow the way you have borrowed. I just cannot understand it.

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Senator Curtis.

Senator CURTIS. Mr. Hoffa, is my understanding correct that the loan from Harold Mark of \$25,000 was made in cash?

Mr. HOFFA. No, sir, it was not. It was deposited in a bank. I believe either deposited in a bank or into a—well, it was deposited. I don't know exactly how it was handled.

Senator CURTIS. It was deposited after you received it?

Mr. HOFFA. After I borrowed it from him.

Senator CURTIS. Yes. Now, in what form did he turn it over to you?

Mr. HOFFA. Senator, he didn't turn the money over to myself.

I was attempting to buy the bonds and I believe it was deposited with the bond company, if I am correct.

Senator CURTIS. What was deposited with the bond company?

Mr. HOFFA. The \$25,000.

Senator CURTIS. In what form?

Mr. HOFFA. I can't tell you, sir, offhand.

Senator CURTIS. Where was the deposit made?

Mr. HOFFA. Either Cleveland or New York. I can't recall.

Senator CURTIS. If it was made in Cleveland, with whom was it made?

Mr. HOFFA. Offhand I can't tell you. I can get those facts for you.

Senator CURTIS. If it was made in New York, with whom was it made?

Mr. HOFFA. I don't know, but I can get those records for you, if you want them.

Senator CURTIS. But it is your belief that Harold Mark delivered currency to the depositor?

Mr. HOFFA. No, sir. Harold Mark put into the bank or into the stock broker house, one of the two, the money that I had borrowed from him.

Senator CURTIS. Yes, but was that in the form of a check or a draft or was it currency?

Mr. HOFFA. I offhand can't tell you, but I would assume that it would be a draft of some description.

Senator CURTIS. How long ago was that loan?

Mr. HOFFA. I think it was last year, Senator, or just the latter part of the year before.

Senator CURTIS. I do not want to repeat here, because I was called out in reference to the atomic energy bill on the floor of the Senate, but did you tell us what Harold Mark's business was?

Mr. HOFFA. An auditor, sir.

Senator CURTIS. Auditor?

Mr. HOFFA. Who has borrowed money, and I see Mr. Bellino moving around, so we won't disturb it, he has borrowed money from both the union and from the health and welfare plan.

Senator CURTIS. He has borrowed from the union and from the health and welfare?

Mr. HOFFA. Yes, sir, and put up collateral.

Senator CURTIS. And put up collateral?

Mr. HOFFA. Yes, sir.

Senator CURTIS. What is his business besides auditing?

Mr. HOFFA. I think he deals in some real estate, sir.

Senator CURTIS. Is he a public auditor, or is most of his time given to one client?

Mr. HOFFA. I think public, sir.

Senator CURTIS. What is Mr. Lower's business?

Mr. HOFFA. What is his position?

Senator CURTIS. Business or occupation.

Mr. HOFFA. Real estate, sir. His primary business today is real estate.

Senator CURTIS. Where is Mr. Lower?

Mr. HOFFA. In Detroit.

Senator CURTIS. You borrowed \$25,000 from him. What year was that?

Mr. HOFFA. I believe it was last year, sir.

Senator CURTIS. How did he turn that \$25,000 over to you?

Mr. HOFFA. In cash, sir.

Senator CURTIS. In cash?

Mr. HOFFA. That is right.

Senator CURTIS. Where were you when the cash was turned over to you?

Mr. HOFFA. I believe he delivered it to my house, sir.

Senator CURTIS. You had previously talked to him about making a loan?

Mr. HOFFA. I had.

Senator CURTIS. Where was that conversation?

Mr. HOFFA. Now you have me.

I couldn't tell you offhand.

Senator CURTIS. Why did he deliver it to you in cash?

Mr. HOFFA. Because I asked him to, sir.

Senator CURTIS. Why did you prefer cash?

Mr. HOFFA. Because I have always operated my expenditures in cash.

Senator CURTIS. And you made the request of him, that he secure cash in which to make the loan?

Mr. HOFFA. That is correct, sir.

Senator CURTIS. Were these other loans that were made to you in cash made in that form, with currency, because you requested it?

Mr. HOFFA. That is correct, sir.

Senator CURTIS. Do you follow this practice as a general rule of all of your transactions in cash, or were these loans the exception to the rule?

Mr. HOFFA. No, sir. It is the general rule to operate in cash, except recently I deposited some money in the bank and drew a check out to take care of some legal expenses.

The CHAIRMAN. Mr. Hoffa, do you know where Mr. Mark got his money?

Mr. HOFFA. Do I know where he has his money?

The CHAIRMAN. No. Where he got the money he loaned you.

Mr. HOFFA. He borrowed \$25,000 from the union, and Mr. Mark then loaned me \$25,000. But he put up the security for the loan. I did not have security to feel that I should borrow that kind of money. Therefore, he borrowed it and put up the security for it, sir, to protect the union.

The CHAIRMAN. Do you know what union he borrowed from?

Mr. HOFFA. 299, sir. I think 299 was the first loan, sir. Then he borrowed additional moneys from 299 and 337 jointly.

The CHAIRMAN. I hand you here—I do not know whether you have ever seen these checks or not, you may have—photostatic copies—

Mr. HOFFA. I think they are 299 and 337, aren't they, sir?

The CHAIRMAN. 337.

Mr. HOFFA. Yes, sir.

The CHAIRMAN. I thought you said 237.

Mr. HOFFA. No, sir.

The CHAIRMAN. I hand you here a check dated October 1, 1956, in the amount of \$12,500, drawn on the Bank of the Commonwealth, Detroit, Mich., in favor of Mr. Harold L. Mark, on the Food and Beverage Drivers Union, Drivers, Warehousemen and Helpers Local Union, No. 337. See if you identify it. I do not know whether you have ever seen it or not.

(Document handed to witness.)

Mr. HOFFA. We reproduced it and gave it to Mr. Bellino.

The CHAIRMAN. Thank you.

That check may be made exhibit No. 157.

(The document referred to was marked "Exhibit 157," for reference and will be found in the appendix on p. 5275.)

The CHAIRMAN. I hand you another check dated a few days later—I am sorry. It is an earlier check dated June 11, 1956, on the same bank, drawn by the Food and Beverage Drivers, Warehouse and Helpers Local Union, No. 337, in the amount of \$50,000 in favor of Mr. Mark.

Is that one of the checks involved in the transaction?

(Document handed to witness.)

Mr. HOFFA. Not in the transaction, sir, I am talking about at all, either one of them.

The CHAIRMAN. Was that a loan to Mr. Mark?

Mr. HOFFA. Yes, sir, it was from 337, so I was told. I did not make the loan, but I was so told when I saw the check. I want to say, sir, that —

(The witness conferred with his counsel.)

Mr. HOFFA. My attorney tells me that 299 was part of it. I don't believe it. We will have to check the records.

The CHAIRMAN. In other words, maybe 299 put up part of the money?

Mr. HOFFA. It could have. But I don't believe it.

The CHAIRMAN. Of course that check does not show it, I don't know. But that shows that one union put up \$50,000.

Mr. HOFFA. I think that is correct, and the money has been paid back in both instances.

The CHAIRMAN. 299 is your union?

Mr. HOFFA. That is correct.

The CHAIRMAN. Are you an officer in the other one, 337?

Mr. HOFFA. No, sir.

The CHAIRMAN. That check may be made exhibit 158.

(The document referred to was marked "Exhibit 158," for reference, and will be found in the appendix on p. 5276.)

Mr. HOFFA. I want to say that these loans have been paid back to the local unions by Mr. Mark in full, with interest, and they were—

Senator CURTIS. Mr. Chairman?

Mr. HOFFA. And I am quite positive that they were properly collateralized.

The CHAIRMAN. Do you know if 299—you say you do not know, but you can check the records, I assume, to ascertain whether 299 put up any money.

Mr. HOFFA. I think Mr. Bellino and myself checked. I think he has the figures there from Frank Collins, the secretary-treasurer. So you can have an answer here. It slips my memory because I don't have it in writing, but I think we did check that out. I think you have the information, sir.

The CHAIRMAN. We may have. I don't know.

Senator CURTIS. To your knowledge, Mr. Hoffa, was the rank and file of the members of these two unions advised fully as to this trans-

action that the union money was first loaned to Mr. Mark and Mr. Lower and then in turn loaned to you?

Mr. HOFFA. Pardon me, sir, just Mr. Mark.

Senator CURTIS. Just Mr. Mark?

Mr. HOFFA. Yes, sir.

Senator CURTIS. Were the rank and file union members whose funds were involved informed of the full transactions, not only the loan to Mr. Mark but Mr. Mark's loan back to you?

Mr. HOFFA. Senator, insofar as my organization, I can only now speak for my own local where I conduct the meetings. I have taken it up with my members, the question of having a right to loan money, and have approval. I note the loans on my financial statements which are quarterly and annually reported, and which are posted annually for the members to have copies of.

Senator CURTIS. Yes. Now my question: Was the full story given to the rank and file members that this money was loaned to Mr. Mark, and that Mr. Mark, in turn, loaned the money back to you? Was that information given to the rank and file of your members?

Mr. HOFFA. I don't know whether I reported it or not. I could have reported it. I generally report everything that happens in our local to the membership, and I wouldn't hesitate to report this and get approval for it.

Senator CURTIS. Are you sure you reported it?

Mr. HOFFA. I say I am not quite sure, but I say I generally report in detail the financial statement.

Senator CURTIS. The financial statement, did that show what Mr. Mark did with the money?

Mr. HOFFA. No, but I say I would report it to the members about the transactions.

Senator CURTIS. Do you mean you would give them an oral report?

Mr. HOFFA. That is correct, sir.

Senator CURTIS. Do you think you might have given them an oral report on this?

Mr. HOFFA. I would assume, to the best of my recollection, that I probably did. I generally do.

Senator CURTIS. How many members are there in your union?

Mr. HOFFA. Around 14,000, sir.

Senator CURTIS. How many attended meetings?

Mr. HOFFA. Well, we have divisional meetings. We have three divisional meetings so we can give the membership an opportunity to appear at those meetings at the most opportune time.

I would judge through the course of the year that either the members or the stewards that they elect attend those meetings quite regularly.

Senator CURTIS. What would you say the net worth of that union is?

Mr. HOFFA. Around \$1,650,000, somewhere around there.

Senator CURTIS. And that is what union?

Mr. HOFFA. My organization?

Senator CURTIS. That is 299?

Mr. HOFFA. Yes, sir; the one I belong to.

Somewhere around that figure, Senator.

Senator CURTIS. Is the same business transacted in each divisional meeting?

Mr. HOFFA. No, sir, it is not. They are different type drivers, warehousemen, and dockmen.

Senator CURTIS. If you told the rank and file about this transaction of Mark's loan, about the loan to him and his loan to you, would that be told in each of the three division meetings?

Mr. HOFFA. That I don't know. I don't always conduct those meetings.

Senator CURTIS. Then it is your opinion, is it not, that the most of the union members did not know about this money ending up in your hands again?

Mr. HOFFA. Well, it isn't my opinion. It is the fact that those members who attend the meetings talk to other members and I don't know how many they talked to.

Senator CURTIS. But you are not sure whether you advised them of that?

Mr. HOFFA. I beg your pardon?

Senator CURTIS. You are not sure whether you advised them of that?

Mr. HOFFA. I don't recall specifically. I generally did. I made a complete report, and if I missed it, I will be happy to make it at the first meeting in September to all three divisions.

Senator CURTIS. I do not think it will be necessary, now.

Mr. HOFFA. At least they would have knowledge so they will have no question after I explain it to them, and I am sure they will vote.

Senator CURTIS. If you gave them this information, when did you do it?

Mr. HOFFA. I can't recall.

Senator CURTIS. Before or after the transaction?

Mr. HOFFA. It would be depending upon the time of the month that the transaction was made. I couldn't tell you.

We have our meetings the second Monday, the second Wednesday, and the second Sunday.

Senator CURTIS. It is your contention that you might have unfolded this entire transaction before it was consummated?

Mr. HOFFA. Well, I certainly wouldn't have hesitated in doing it.

Senator CURTIS. I did not ask you if you hesitated. I asked you if you did it.

Mr. HOFFA. To my recollection, I can't tell you at this moment and be positive.

(At this point, Senator Kennedy withdrew from the hearing room.)

Senator CURTIS. That is all, Mr. Chairman.

Mr. KENNEDY. To get it straight, the loan of 337 to Harold Mark was \$175,000, the 2 loans. Do you think that your local also loaned an equal amount?

Mr. HOFFA. No, sir, I do not. I think it was a proportionate share.

Mr. KENNEDY. You think that that was split up between the two locals?

Mr. HOFFA. I don't know exactly how, but it strikes me there was a proportionate share.

Mr. KENNEDY. And \$25,000 that came from——

Mr. HOFFA. I may say that there is sufficient collateral, I believe over twice as much for security for the loan today.

Mr. KENNEDY. \$25,000 of this went to Harold Mark and he, in turn, loaned the money to you, is that right?

Mr. HOFFA. Harold Mark loaned me \$25,000. Whether or not it was Harold Mark then was in need of a loan, I don't know.

Mr. KENNEDY. But it was during this period of time in which the union was loaning him money?

(The witness conferred with his counsel.)

Mr. HOFFA. Are you talking about the \$25,000 loan?

Mr. KENNEDY. Yes.

Mr. HOFFA. That is what I thought you were.

(The witness conferred with his counsel.)

Mr. HOFFA. All you are talking about is 299, is that correct?

Mr. KENNEDY. Well, you——

Mr. HOFFA. Just a moment. Let's don't get the record muddled up.

Mr. FITZGERALD. Mr. Kennedy, may I speak a word? I know I don't belong in here.

Mr. KENNEDY. I just want the facts.

Mr. HOFFA. You will get the facts. Let me give them to you.

The CHAIRMAN. Just a moment.

Mr. HOFFA. I will give you the facts. There will be no question about it.

The \$25,000 loan was made from 299, I am quite sure. Additional moneys were loaned to Mr. Mark which I believe were jointly loaned. I believe that is the way you will find it in the records.

Mr. KENNEDY. So we understand, we have two checks here that total, I believe, \$175,000.

Mr. HOFFA. I think you are——

(The witness conferred with his counsel.)

Mr. HOFFA. I don't know, and I am not going to quarrel with you.

Mr. KENNEDY. I am not quarreling at all.

Mr. HOFFA. On this basis, that the total amount of money, other than the \$25,000, let's put it that way, was jointly owned.

Mr. KENNEDY. But there was, in addition to the \$175,000——

Mr. HOFFA. I don't think so, Bob.

Mr. KENNEDY. Would you listen to my question?

(At this point, Senator Kennedy entered the hearing room.)

Mr. HOFFA. Sure I hear your question.

Mr. KENNEDY. Would you listen to the whole thing?

The CHAIRMAN. Proceed. Let counsel ask the question.

Mr. KENNEDY. There are two checks here totaling \$175,000. As I understand it from your testimony, and perhaps I misunderstand it, there is another \$25,000 loan. Now, I am wrong in that?

Mr. HOFFA. I don't believe there are two checks there, unless you have them there, that total that much money, insofar as the loan from the union.

Mr. KENNEDY. Let us settle that first.

Mr. HOFFA. Well, straighten it out.

Mr. KENNEDY. See if I can add it right: 10-1-56, \$125,000, and 6-11-56, \$50,000.

Mr. HOFFA. You have 299's check there?

Mr. KENNEDY. No.

Mr. HOFFA. Let's wait until we get that.

Mr. KENNEDY. That is what I am asking, Mr. Hoffa.

Mr. HOFFA. I can't answer it, Mr. Chairman, until I see the checks involved.

MR. KENNEDY. What I want to try to find out is in addition to the \$175,000 that was loaned from 337, in addition to that loan there was a loan of a certain amount of money from 299, is that right?

MR. HOFFA. Well, now, I don't believe you are correct.

MR. KENNEDY. I am not saying——

MR. HOFFA. I would want to check the record before I would give you an answer.

The CHAIRMAN. The question is here. One of these checks is \$12,500 and the other is \$125,000. Is that right?

MR. KENNEDY. It is \$12,500.

MR. HOFFA. That is what I thought it was.

The CHAIRMAN. These two checks that have been presented——

MR. HOFFA. There is a little bit of difference.

The CHAIRMAN. Total \$62,500.

Where is the \$125,000?

MR. KENNEDY. That was my mistake, Mr. Chairman. That was a misleading figure.

The CHAIRMAN. All right.

MR. KENNEDY. Now can we go back? These are the checks from 337, which I understand. Was there another loan of an equal amount from local 299?

MR. HOFFA. I don't know whether it was equal or not. There was another loan.

MR. KENNEDY. Another loan from 299?

MR. HOFFA. I gave you the figures, Mr. Bellino. What did you do with them? You ought to report this thing fairly. You have the figures. You ought to report them.

MR. BELLINO. I would say you did not give us any figures on 299.

The CHAIRMAN. Just a moment.

(The witness conferred with this counsel.)

MR. HOFFA. Senator, orally I did get the figures. I tried to cooperate so I could answer intelligently here your questions. If I did not give them to him, I certainly made a mistake, but I thought I did. If I didn't, when he comes in we will certainly produce them.

The CHAIRMAN. All right. Let us see if we can straighten it out. So far we have \$62,500 in two checks. These were both on 337, not on 299.

MR. HOFFA. I would like to see those checks. That don't seem right, Senator. Would you please let me see those checks?

Is that correct?

Well, if it is correct, I don't need to see them. No use tying up the committee. Go ahead.

The CHAIRMAN. Those are the two you saw before. These are other copies of them.

(Documents handed to witness.)

(The witness conferred with his counsel.)

The CHAIRMAN. \$12,500 and \$50,000.

MR. HOFFA. \$62,500.

The CHAIRMAN. Can we all agree on that now?

MR. HOFFA. I think that is right, sir.

The CHAIRMAN. All right. \$62,500. Both of those came from 337, local 337?

MR. HOFFA. Yes, sir.

The CHAIRMAN. The question is, as I understand it: Is there another check or is there another loan in addition to that from 299?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. There is another one. Do you remember the amount of it?

Mr. HOFFA. No, sir. I thought I had the amount. If I didn't, I will have to get it. I certainly don't remember it.

The CHAIRMAN. All right. Do you have a record of the other loan?

Mr. KENNEDY. No; we do not. We have not seen the books or records of 299, which is not Mr. Hoffa's fault. We do not have those figures available.

Mr. HOFFA. We will get them.

The CHAIRMAN. You do not remember. The record will be the best evidence.

Mr. HOFFA. That is right.

The CHAIRMAN. Proceed.

Mr. KENNEDY. If you can't answer the question, say so.

There was a loan of \$25,000, as I understand it, that went from 299 to Mr. Mark and he loaned you \$25,000.

Mr. HOFFA. I say that Mr. Mark loaned me \$25,000. Whether or not it was money that he had saved up or not, I do not recall, or whether it was money that he borrowed and then loaned to me I do not recall. I would have to check the record with Mr. Mark before I could give you an answer.

Mr. KENNEDY. Tell me this: What does Mr. Mark do other than be an accountant?

Mr. HOFFA. I told you he was in real estate.

Mr. KENNEDY. In real estate?

Mr. HOFFA. I am quite sure he is in real estate.

The CHAIRMAN. Let the chair make a suggestion at this point so we get these figures straightened out.

You ascertain as soon as you can whether a loan was made along about the same time by local 299, stating the amount of it and the date of it, to Mr. Mark.

Mr. HOFFA. Then we will submit it to you?

The CHAIRMAN. Sir?

Mr. HOFFA. When he comes into Detroit, we will work it out. Is that all right?

Mr. KENNEDY. Maybe you can get it tonight.

Mr. HOFFA. Not tonight you won't. They will be closed.

The CHAIRMAN. Let us proceed now.

That is still in question, as to whether there was one and the amount and date of it.

Let us proceed.

Mr. KENNEDY. Mr. Mark is an accountant and he is also in the real estate business?

Mr. HOFFA. I believe he is in the real estate business.

Mr. KENNEDY. Does he have any business relationship with the Dorfman's, do you know?

Mr. HOFFA. Not to my knowledge.

Mr. KENNEDY. You do not know?

Mr. HOFFA. Not to my knowledge.

Mr. KENNEDY. Does he have anything to do with insurance?

Mr. HOFFA. I couldn't tell you.

Mr. KENNEDY. You do not know?

Mr. HOFFA. Actually, I don't know. No.

Mr. KENNEDY. Do you know if he knows Mr. Phil Weiss?

Mr. HOFFA. Phil who?

Mr. KENNEDY. Phil Weiss?

Mr. HOFFA. I would think he would. I am giving you a guess. I can't give you a guaranty.

Mr. KENNEDY. Do you know any business relationship between Mr. Weiss and Mr. Mark?

Mr. HOFFA. That I wouldn't know.

Mr. KENNEDY. You don't know. You never heard of any?

Mr. HOFFA. I can't recall.

Senator McNAMARA. Mr. Chairman?

The CHAIRMAN. Senator McNamara.

Senator McNAMARA. I know a Phil Weiss. I wonder if we can identify him so I can get straightened out in my mind.

Mr. HOFFA. It was not the Phil Weiss who was a former mediation board chairman in Detroit. It is a Bill Weiss in New York.

Senator McNAMARA. All right.

Mr. KENNEDY. Did Mark charge you interest on the money?

Mr. HOFFA. No.

Mr. KENNEDY. He did not.

The CHAIRMAN. I understood he was paying interest on the loans he secured from the union. Is that correct?

Mr. HOFFA. He is paying interest. I have not worked out the question of the interest with him. I assumed he will add it. I should have said that there will be interest, but I haven't paid it. Let's put it that way.

The CHAIRMAN. All right.

Mr. KENNEDY. I want to go back to the other loan that you made from Mr. Lower, from the Sun Valley, Inc.

Mr. HOFFA. Go ahead.

Mr. KENNEDY. Did you have a union account at the bank where you went to get this loan?

Mr. HOFFA. Where he went to get the loan, yes.

Mr. KENNEDY. There was a union account?

Mr. HOFFA. That is right. Several of them.

Mr. KENNEDY. I notice here in the application for loans, the second one which I believe was for—how much? \$25,000?

Mr. HOFFA. I think it was.

Mr. KENNEDY. Tell me this: Did you have conversations and discussions with the bank officials prior to the time that they loaned this money?

Mr. HOFFA. I sure did.

Mr. KENNEDY. Were they anxious to loan the money?

Mr. HOFFA. I think they must have been. They wouldn't have loaned it otherwise.

Mr. KENNEDY. Was there any discussion at the same time about what union accounts they would have or would not have if they did not loan the money?

Mr. HOFFA. What is that?

Mr. KENNEDY. Was there any discussion between you and the officials of the bank as to what union accounts, teamster union accounts, the bank would keep or what new accounts they might have?

Mr. HOFFA. I think when they signed that note they had the accounts they got today.

Mr. KENNEDY. Was there any discussion in connection with the bank officials?

Mr. HOFFA. I don't recall any.

Mr. KENNEDY. On the application for loan, on the question of whether they are going to loan the \$25,000 to Mr. Lower of Sun Valley, Inc., it states "Branch manager, do you recommend?" and the branch manager evidently puts "Only if pressure is applied from union."

Mr. HOFFA. Well, I am not responsible for the bank manager. To the best of my recollection I just don't recall. But I don't think there was any discussion. They may have called me up and asked me would I cosign or something. That may have happened.

The CHAIRMAN. I do not know whether you mean to say that or not.

You said there may have been pressure on the part of the union?

Mr. HOFFA. No. I didn't say that. I said about discussion, sir.

The CHAIRMAN. You have no explanation of why the branch manager of the bank would make such a notation?

Mr. HOFFA. I have absolutely no explanation.

(The witness conferred with his counsel.)

Mr. HOFFA. Is that the Commonwealth?

Is that the Commonwealth?

Mr. KENNEDY. Yes.

Mr. HOFFA. I have no explanation.

Senator MUNDT. Mr. Chairman?

We should be able to button that one down, Mr. Hoffa. If you had exerted any pressure on the bank, you would have remembered it, would you not?

Mr. HOFFA. I don't know what kind of pressure I would put on them.

Senator MUNDT. Had you told the bank "Either you make this loan or you will lose our accounts"?

Mr. HOFFA. I certainly didn't say anything like that.

Senator MUNDT. Did you say anything like that?

Mr. HOFFA. I didn't tell anybody that. That is the best of my recollection, at least.

Senator MUNDT. Had you done it, you would have remembered it. You are pretty familiar with banks.

Mr. HOFFA. To the best of my recollection, I don't think I had a discussion with anybody concerning the last loan. I just don't believe I had one. I may have had a discussion, if he called me on the phone, but certainly nothing other than ordinary as to whether I would sign it, to the best of my recollection.

Senator MUNDT. Can you, without the qualifying phrase "to the best of your recollection," say categorically "I did not threaten to take the union accounts from the bank unless they made this loan to my friend Mark"? Can you say that?

Mr. HOFFA. Well, now, I am not going to make such a statement because I don't know what could be considered pressure.

Senator MUXDR. I defined it for you. I said, Can you say without qualifying it by the phrase "to the best of your recollection"—can you say definitely, "I, Jimmy Hoffa, did not tell any officers of the bank 'Unless you loan that money to my friend Lower, I am going to take our accounts out of the bank' "?

Mr. HOFFA. Well, I will not make a positive statement until I have checked with the bank manager whether or not he and I ever talked about it.

To the best of my recollection, I cannot remember ever having talked to them about this particular loan.

Senator MUXDR. But you leave the implication that you might have made such a statement to the bank officers.

Mr. HOFFA. No, I don't leave the implication. If you want to leave it, you can leave it if you want, Senator, but I would rather not make a statement of something here that I don't positively know. I think you don't want it on the record if I don't positively know.

Senator MUXDR. We want you tell us what you know, and that is why I was trying to find out whether you could say positively you were sure you never made a statement of that kind.

Mr. HOFFA. As I say, I would have to check. To the best of my recollection, to my memory, I could not tell you that I made any such a statement, or I didn't, but I don't recall it.

Senator MUXDR. In other words, if the bank could say that you did make such a statement, you are not prepared to deny it?

Mr. HOFFA. Well, after I talk to them, I will give you an answer.

Senator MUXDR. What is that?

Mr. HOFFA. After I talk to him, I will give you an answer.

Senator MUXDR. All right. You cannot give it now.

The CHAIRMAN. Are there any other questions by members of the committee?

Proceed, Mr. Counsel.

Senator McNAMARA. I can visualize pressure in this instance meaning that if I had an account at the bank and I wanted a loan, and it was for a large amount, and the bank said to me, "Well, I won't loan it to you," I might say, "Well, if you don't, I will take my business to some other bank."

Is that the pressure you have in mind when you are discussing this? It is not union pressure. It is not union activity at the bank.

Mr. HOFFA. I don't know what they are discussing. Until I talk to the bank, Senator McNamara, I don't care to become involved in a positive statement with something I am not familiar with.

Senator McNAMARA. Maybe this was an accounting of the individual to the board of directors. He has to account for the loaning of money, and he may have insinuated more or less that "I am forced to do that or I will lose the accounts."

Mr. HOFFA. It could be.

Senator McNAMARA. I do not see that there would be anything irregular about saying to my banker, if I had one, "If you don't do this and so, I will move my account somewhere else."

If that is pressure, it is common pressure used every day.

Mr. HOFFA. It is very peculiar. We have been doing business with this bank a long time and we are still doing business with them. That is all I can tell you.

The CHAIRMAN. Senator Curtis?

Senator CURTIS. Mr. Hoffa, I would doubt very much if you threatened the bank or made any blunt statement of what you would do if that loan was not made. I think you are more astute than that. I would think that whatever was done, was sort of a gentle suggestion. Did you have any conversation with them at the time this loan was discussed relative to the fact that the teamsters had a deposit in the bank?

Mr. HOFFA. You are talking about this \$25,000 loan, is that right?

Senator CURTIS. Yes, sir.

Mr. HOFFA. I couldn't give you an answer, because if I talked to the bank it would be no different than talking to any other individual, and I certainly wouldn't store it away in my mind. So I can't give you an answer.

Senator CURTIS. The situation is not quite parallel with what Senator McNamara referred to. He said that if he was asking for a loan at a bank, he would not hesitate to tell them that he would make certain decisions in his favor if they did not grant it. That is all right if they are dealing with their own money. But the deposits in that bank were the teamsters' money and not yours; is that true?

Mr. HOFFA. That is correct, sir.

Senator CURTIS. Awhile ago when you were testifying about these loans being handled in cash, I understood you to say that in all of your business transactions up until recently you made it a practice to handle them in cash?

Mr. HOFFA. For a number of years, as I can remember back, it was a general practice of myself of handling my transactions by cash.

Senator CURTIS. How recent was it you made that change?

Mr. HOFFA. When I became involved in a lawsuit and had to borrow money from a bank on my home and my cottage to pay the law fee, I then had a bank account opened for the purpose of drawing a check.

Senator CURTIS. Was that recently? I mean in the last year?

Mr. HOFFA. Within this year, sir.

Senator CURTIS. But prior to that, all your transactions were in cash?

Mr. HOFFA. Primarily. There may have been some money orders or something like that, Senator.

Senator CURTIS. I am not going to go into the details at this time, but I want to ask one question: If you had made any political contributions prior to the recent months, would they have been made in cash?

Mr. HOFFA. The reason, what, sir?

Senator CURTIS. With the exception of recent months.

Mr. HOFFA. Oh, all right.

Senator CURTIS. Would those contributions have been made in cash?

Mr. HOFFA. If there were political contributions made to State, city, or county employees, out of union funds, it would have been paid by check.

If I made, myself, a donation, then—or anybody else would make one—I would assume it would either have to be on their bank accounts or in cash; and if I made it, it would be in cash.

Senator CURTIS. This Marshall DuBack that you mentioned that you borrowed \$2,000 of and still owe, he is a business representative of—

Mr. HOFFA. 337.

Senator CURTIS. Local 337, and that is the same local that is involved in the loan that we just discussed?

Mr. HOFFA. That is correct, sir.

Senator CURTIS. Do you know whether that was a loan of his personal funds or not?

Mr. HOFFA. Well, I certainly assume that it was.

Senator CURTIS. You do not know that?

Mr. HOFFA. Well, not until I ask him I couldn't, but the thought never raised in my mind.

Senator CURTIS. Do you remember the incident of borrowing that money?

That was quite awhile ago.

Mr. HOFFA. Quite awhile ago.

Senator CURTIS. That is all.

The CHAIRMAN. All right.

Senator MUNDT. Did I understand you earlier in your testimony this morning? I thought you said, in answer to a question by Senator Kennedy, that you and your wife kept a joint bank account. Were you talking then about a savings account as against a checking account?

Mr. HOFFA. No, sir; I said a joint income-tax return. I have a joint safe-deposit box with my wife, but I do not have a joint savings account.

Mr. KENNEDY. On this question of the loan that was to be made out of this bank, the loan that was to be made was to be made to Mr. Lower in connection with the Sun Valley Enterprises that he had; is that right?

Mr. HOFFA. That is right.

Mr. KENNEDY. And, in connection with what you said when he came for the second loan, how much was borrowed in the first loan to Mr. Lower?

Mr. HOFFA. If I remember correctly, I think it was \$50,000.

Mr. KENNEDY. I note here in connection with what we have been talking about that the note on this first loan states:

About a year ago we lost a teamster account of \$800,000—

Mr. HOFFA. Yes; they lost my account, and I will tell you why, if you want to know.

Mr. KENNEDY. Do you want to wait until I finish—

through some misunderstanding. We are trying to get this account back and a welfare account at the National Bank of Detroit that runs over a million dollars. If we cannot take care of them, they propose to go to the City Bank and no doubt we will lose more accounts.

They then made this loan of \$50,000 to Mr. Lower.

Mr. HOFFA. If they want to make an excuse for the failure to have common sense, that is their business. But the actual fact is that several years back, and not just last year and not when Lower was in Sun Valley, I sent a driver over to borrow \$500 from the bank, who needed it very bad, and the bank rejected the driver and asked him to have a cosigner on it even though we offered to guarantee the loan. I told them, and I would still tell them tomorrow, that if they cannot loan a driver of our organization who has an interest in the deposits that they had in their bank, then it was the type of bank we shouldn't do business with.

Mr. KENNEDY. You could loan, however, out of your local, \$62,500 to Mr. Harold Mark in New York, but you didn't loan this driver \$500?

Mr. HOFFA. Well, when you get into 299's records, you will find out there are a lot of loans to drivers. And you will find that there is no interest on the loans, either.

Mr. KENNEDY. Mr. Hoffa, on this Lower project of Sun Valley, did the teamsters have any connection with that?

Mr. HOFFA. From a sponsoring situation.

Mr. KENNEDY. You sponsored that. How did you do that?

Mr. HOFFA. We sponsored it on the basis that our members could have the first opportunity to buy lots at a reduced price, I think, of \$250. I am not quite positive. Those same lots today are worth \$800 to \$1,000.

Mr. KENNEDY. So I can understand it, a loan had been made of some \$75,000, two loans had been made of \$75,000, to Mr. Lower in connection with this Sun Valley project; the loans had come from this bank: that Mr. Lower had then loaned you, as I understand it, \$25,000: that the teamsters in this project in Sun Valley were a sort of sponsoring organization for this project?

Mr. HOFFA. Only from the standpoint of giving our members an opportunity to buy lots at a reduced price.

Mr. KENNEDY. Let me show you these, Mr. Hoffa.

When was the \$25,000 that you got from Mr. Lower?

Mr. HOFFA. I think it was sometime last year.

Mr. KENNEDY. 1956? Just about the same time that the teamsters were sponsoring this?

Mr. HOFFA. No, I think it goes back farther than that.

Mr. KENNEDY. Well, during the same period of time?

Mr. HOFFA. No, I don't think so. It could be.

The CHAIRMAN. I hand you here what purports to be photostatic copies of advertisements regarding the Sun Valley project. You may examine them and state if you are familiar with them. There are four of them, I believe.

(Documents were handed to the witness.)

(The witness conferred with his counsel.)

Mr. HOFFA. I note here, Senator, that each one of them say \$150 a lot. Is that what we are referring to?

The CHAIRMAN. Yes. You had given some testimony regarding it, that they would get them at a discount.

Mr. HOFFA. \$150 here according to this announcement. But I am not responsible for the propaganda put out by Sun Valley.

The CHAIRMAN. You don't know. Is that a Sun Valley ad or is that a union ad?

Mr. HOFFA. No, this is their ad.

The CHAIRMAN. I beg your pardon?

Mr. HOFFA. This is their ad?

The CHAIRMAN. Their ad?

Mr. HOFFA. To the best of my knowledge, it is.

The CHAIRMAN. Do you identify them? Had you seen them before?

Mr. HOFFA. I don't believe I did, Senator. I would have no reason to. I don't think so.

The CHAIRMAN. Well, they are not identified, but they may be made an exhibit for reference only, so if any other questions are asked about them, we will know what we are talking about. They will be exhibit 159 for reference only.

(The documents referred to were marked "Exhibit No. 159" for reference and may be found in the files of the select committee.)

Mr. KENNEDY. You didn't have any interest in the Sun Valley project?

Mr. HOFFA. What's that?

Mr. KENNEDY. You didn't have any interest with Mr. Lower?

Mr. HOFFA. Just a moment. You didn't ask me that question.

Mr. KENNEDY. Did you?

Mr. HOFFA. I have an option to buy an interest in Sun Valley, but I have not exercised the option.

Mr. KENNEDY. What does that mean?

Mr. HOFFA. Exactly what I said.

Mr. KENNEDY. You are going to buy the whole of Sun Valley?

Mr. HOFFA. What is that?

Mr. KENNEDY. It is an option to buy the whole?

Mr. HOFFA. No, sir. I have an option to buy a percentage. What it is I can't tell you at this moment.

Mr. KENNEDY. When did you get that option?

Mr. HOFFA. I think maybe a year ago; maybe longer. I can't recall. It is when I signed the note for the property.

(At this point Senator Goldwater withdrew from the hearing room).

Mr. KENNEDY. Is that about the time that he loaned you the \$25,000?

Mr. HOFFA. No, I don't think so. I have disclosed this to Internal Revenue and there is no question about it.

Mr. KENNEDY. I am just trying to get the facts. It says here, "Entire Sun Valley program has been endorsed by Florida Chamber of Commerce and your joint council."

Is that the joint council of the teamsters?

Mr. HOFFA. 43.

Mr. KENNEDY. "Every detail of your business transaction can be handled by your local business agent."

Mr. HOFFA. Each agent was trying to see if any member wanted a lot so they could save \$150 as a courtesy.

Mr. KENNEDY. "Your investment has every safeguard."

"Florida homesites in Sun Valley. Stake your claim in the teamsters model city of tomorrow. Live better for less."

These were passed around to all the business agents, were they?

Mr. HOFFA. I couldn't tell you.

Mr. KENNEDY. What were the instructions to the business agents?

Mr. HOFFA. It wasn't only instructions. For your information, there was a TV program sponsored by Sun Valley, advertising to the members their opportunity to buy these lots at a reduced price, and I think you will see on some of the advertisements you have there, that the agents were going to help those members who desired to buy lots.

Mr. KENNEDY. And during this period of time, you had an option to buy an interest in this project yourself?

Mr. HOFFA. I don't know if it was that particular time or not.

Mr. KENNEDY. Well, when did you get your option?

Mr. HOFFA. I don't know offhand. It would be 1955 or 1956. I don't know. What are those dated?

Mr. KENNEDY. These are 1955 and 1956. When did you get your option?

Mr. HOFFA. I can't tell you offhand.

Mr. KENNEDY. It says here, "See your business agent." Everybody was told that they could see their business agent about this matter?

Mr. HOFFA. Not only on that. They were told on TV by a regular show that we were attempting to give our business agents the benefit of being able to buy property in Florida at a—

Mr. KENNEDY. Who sponsored the TV program?

Mr. HOFFA. Sun Valley, I believe.

Mr. KENNEDY. Did the teamsters sponsor it at all?

Mr. HOFFA. I don't believe we did.

Mr. KENNEDY. Did you tell them at that time that you had an option to buy an interest?

Mr. HOFFA. Who should I tell?

Mr. KENNEDY. Did you tell the business agents when they weren't around?

Mr. HOFFA. Certainly I didn't tell the business agents, because nobody thought to inquire and I didn't think to tell them.

Mr. KENNEDY. Did you tell them that you had this interest, that Mr. Lower loaned you \$25,000?

Mr. HOFFA. I certainly did not. That was my private and personal business.

Mr. KENNEDY. Did you send any business agents down to Florida to look this matter over?

Mr. HOFFA. I sent three business agents down so they could intelligently report back to the membership whether the property as attempted to be advertised in the paper was not good property. There was likewise some film taken by one of the agents that went down. Our stewards were called into a meeting to show them the property that they would have the opportunity of buying at a reduced price.

Mr. KENNEDY. Who paid for the trip of your business agents to Sun Valley?

Mr. HOFFA. The local union, I assume.

Mr. KENNEDY. Did any go from your local union?

Mr. HOFFA. I don't know if they did or not, but I wouldn't hesitate to send one.

Mr. KENNEDY. Was this 1955?

Mr. HOFFA. I couldn't tell you.

Mr. KENNEDY. You don't know that?

Mr. HOFFA. No.

Mr. KENNEDY. They were to go down there and report back about the Sun Valley project?

Mr. HOFFA. That is right, so that we would make sure that our members weren't being cheated.

Mr. KENNEDY. I would think that perhaps you could check that yourself, through your business relationships with Mr. Lower.

Mr. HOFFA. If I had gone down to Florida, I could do it. But they had more time and they went down. If I went down, you would say that I made the report as such because I had an interest in it.

Mr. KENNEDY. During this period of time was when you had the option to purchase an interest?

Mr. HOFFA. It is possible. I don't know.

Mr. KENNEDY. How we got into this loan business was about the \$20,000—your relationship with the P. M. L. Co., Mr. Matheson.

Mr. HOFFA. What has that got to do with the question?

Mr. KENNEDY. When we originally started on this, we were trying to find out where the \$20,000 came from.

Mr. HOFFA. We didn't originally start on that at all. Just check the record and you will find out that you didn't start on the P. M. L. The P. M. L. came in the middle of the discussion.

Mr. KENNEDY. All right, Mr. Hoffa. We were discussing the P. M. L. Co.

Mr. HOFFA. Part of the discussion.

(At this point Senators McClellan and Ervin withdrew from the hearing room.)

Mr. KENNEDY. We were discussing the P. M. L. Co. and your relationship with Mr. Matheson, and you stated, I believe, that you invested \$20,000 in cash in the P. M. L. Co.

Mr. HOFFA. That is right.

Mr. KENNEDY. What year was that?

Mr. HOFFA. I thought I gave it to you. I know I did. You have it in your letter there, Mr. Kennedy.

(The witness conferred with his counsel.)

Mr. HOFFA. The record shows here 1952. I assume that is right that was made up for me.

Mr. KENNEDY. What about Mr. Matheson? How much did he invest in that?

Mr. HOFFA. I can't tell you offhand. I don't know.

Mr. KENNEDY. You don't know?

Mr. HOFFA. No.

Mr. KENNEDY. How much did these other gentlemen?

Mr. HOFFA. Offhand I couldn't tell you.

Mr. KENNEDY. What was the P. M. L. Co. to do?

Mr. HOFFA. As I said before, it was to make investments, loans.

Mr. KENNEDY. What kinds of investments?

Mr. HOFFA. Whatever was deemed a going proposition.

Mr. KENNEDY. Who was handling it for you?

Mr. HOFFA. Who was handling what?

Mr. KENNEDY. Who was handling P. M. L.?

Mr. HOFFA. I think there was only one transaction out of P. M. L. The money was lost in the transaction.

Mr. KENNEDY. What transaction? What was the transaction?

Mr. HOFFA. I think it was an investment in a brewery, if I am not mistaken. They loaned money to a brewery. I am quite sure they did.

Mr. KENNEDY. What brewery?

Mr. HOFFA. I think maybe—

(The witnesses conferred with his counsel.)

Mr. HOFFA. I don't know. It is in Flint. I can't give you an answer.

Mr. KENNEDY. During this period of time, Matheson was on the negotiating committee for the truckers with the teamsters; is that right?

Mr. HOFFA. That is right. But it was my money.

Mr. KENNEDY. Did he invest money also?

Mr. HOFFA. I assume he did. I don't know for sure.

Mr. KENNEDY. You don't know what the name of the brewery was?

Mr. HOFFA. I can't think of it. Maybe Senator McNamara can recall. It is the first one when you go into Flint.

Senator McNAMARA. I know exactly where it is, but I can't think of it.

Mr. FITZGERALD. I think it was Old Heidelberg White Seal. I will get the name and furnish it.

Senator IVES. Let's proceed, Counsel.

Mr. KENNEDY. Who else was in that? Did anybody else have an interest in the White Seal Brewery?

Mr. HOFFA. I will have to find out. I don't know.

Mr. KENNEDY. You don't know that?

Mr. HOFFA. Not offhand; I don't know.

Mr. KENNEDY. You can't look at your little paper and find out?

Mr. HOFFA. I don't happen to have it because you didn't ask me. If you asked me I would have it.

Mr. KENNEDY. I thought you had P. M. L. there.

Mr. HOFFA. I have P. M. L. on my own basis and that is all you requested.

Mr. KENNEDY. You didn't have an interest in White Seal?

Mr. HOFFA. I don't think I did. I can't tell you offhand.

Mr. KENNEDY. You mean P. M. L. invested the money?

Mr. HOFFA. I think so.

Mr. KENNEDY. Who was operating White Seal Brewery at the time?

Mr. HOFFA. I couldn't tell you.

Mr. KENNEDY. You didn't have anything to do with it?

Mr. HOFFA. I personally didn't have anything to do with operating it.

Mr. KENNEDY. You didn't carry out the negotiations?

Mr. HOFFA. Negotiations? What negotiations?

Mr. KENNEDY. The negotiations, I expect, to get the \$20,000 of yours.

Mr. HOFFA. It was handled by lawyers.

Mr. KENNEDY. Who handled it?

Mr. HOFFA. I imagine my good counselor here, Mr. Fitzgerald, and other people.

Mr. KENNEDY. Mr. Fitzgerald handled it?

Mr. FITZGERALD. May I refresh his recollection?

Senator IVES. It is all right, Mr. Attorney. You can get in there and say what you have to say, if you want to. You can refresh his memory, if you want to. He seems to have a pretty good one when he wants to use it.

(The witness conferred with his counsel.)

Mr. HOFFA. Well, apparently, from what I can gather, Matheson had an interest in the brewery, and they took the voting stock as security, voting trust as security. That is the best I can give you at this moment.

Senator IVES. Does that answer your question, Mr. Kennedy?

Mr. KENNEDY. Not completely.

Senator IVES. Go ahead and ask him some more.

Mr. FITZGERALD. I will get the entire transaction from Mr. Bellino for you. It wound up in the bankruptcy court and everybody lost their money. I think if you want to wait until we get back, I will give you the entire picture.

Mr. KENNEDY. Do you mean back to Detroit?

Mr. FITZGERALD. Yes, back to Detroit.

A lot of people invested in the brewery, including myself. Mr. Hoffa had nothing to do with it. Mr. Matheson was attempting to make the brewery a going concern. We ran out of money, and P. M. L. came along to—

Senator IVES. Mr. Counselor, before you go further, you have not been sworn, have you?

Mr. FITZGERALD. No.

Senator IVES. You are giving testimony. Stand up and be sworn.

Mr. FITZGERALD. All right. I don't mind.

Senator IVES. Do you swear that the evidence you are giving in this hearing is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FITZGERALD. That is right.

TESTIMONY OF GEORGE S. FITZGERALD

Mr. FITZGERALD. I would just as soon give it under oath to the best of my recollection.

Senator IVES. Go ahead. That is what we are asking for.

(At this point Senator McClellan returned to the hearing room.)

Mr. FITZGERALD. We started out and we invested in a brewery. Mr. Hoffa had nothing to do with it.

Mr. KENNEDY. Who is "we"?

Mr. FITZGERALD. Mr. Matheson and about 25 or 30 people; mostly lawyers.

The capitalization was small, and we were getting no place. I resigned. It was a dead horse. Mr. Matheson decided it wasn't. Mr. Matheson joined with Mr. Louisell, Porritt, Mr. Hoffa, and they came in and loaned the money to the brewery and took a voting trust from everybody that had stock.

They attempted to run it. The steel strike came on. They couldn't get cans. The beer was in the vats. The United States Government inspectors wouldn't let it lay too long. They had to throw the beer away and eventually it wound up in bankruptcy. Everybody concerned lost their money.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

Mr. KENNEDY. Part of the money that was lost was the investment of \$20,000 that you made in P. M. L.; is that right?

Mr. HOFFA. You are right.

Mr. KENNEDY. So the money from P. M. L. went into the White Seal Brewery?

Mr. HOFFA. You are right.

Mr. KENNEDY. Was your friend Mr. Brennan in this, too?

Mr. HOFFA. Unfortunately, he was not. It would have saved me some money if he had been in that trip.

(Members of the select committee present at this point in the proceedings: Senators McClellan, Ives, Kennedy, McNamara, Mundt, and Curtis.)

Mr. KENNEDY. Have you been in any other business relationship or had any other business relationship or invested jointly in any other

business or company with Mr. Brennan, other than the ones we mentioned this morning?

Mr. HOFFA. Yes.

Mr. KENNEDY. What was that?

Mr. HOFFA. I thought I gave it to you. I sent it to you.

Well, let's see: In 1950, Mr. Hoffa obtained a part interest in Joll Properties.

Mr. KENNEDY. Joll Properties?

Mr. HOFFA. Along with Mr. Brennan. He had a percentage interest.

Mr. KENNEDY. What is the Joll Properties?

Is it J-o-l-l?

Mr. HOFFA. Yes. Just a minute. It is a resort for a girls' camp that has a girls' camp 8 weeks a year in northern Wisconsin.

Mr. KENNEDY. Who else is in that?

Mr. HOFFA. Mr. Dorfman.

Mr. KENNEDY. Mister who?

Mr. HOFFA. Mr. Dorfman.

Mr. KENNEDY. Mister who Dorfman?

Mr. HOFFA. You are asking me something you didn't ask me to bring, so don't hold me to what I am going to tell you. I will do the best I can do. All right?

I think that Paul Dorfman; Paul or Allan, or both, I don't know which. I think Rose Dorfman.

Mr. KENNEDY. Who is Rose Dorfman?

Mr. HOFFA. Paul's wife. Myself, Brennan, and a lawyer I can't think of offhand. I think those are the people that are in.

Phil Goodman is his name.

Mr. KENNEDY. What was Mr. Allan Dorfman's job at that time?

Mr. HOFFA. What was his job? Allan Dorfman has an insurance agency in Chicago.

Mr. KENNEDY. Do they have any relationship with the teamsters?

Mr. HOFFA. They certainly do.

Mr. KENNEDY. What about Rose Dorfman?

Mr. HOFFA. I understand she is a partner.

Mr. KENNEDY. Do they have a relationship with the teamsters?

Mr. HOFFA. The insurance company does.

Mr. KENNEDY. What insurance company is that? Is it the Union Casualty Co.?

Mr. HOFFA. Of Illinois, I think. Is that what it is, of Illinois?

Mr. KENNEDY. How much money did you put in that?

Mr. HOFFA. You are talking about Joll Properties, are you not?

Mr. KENNEDY. Yes. That is the Jack-O-Lantern Lodge?

Mr. HOFFA. That is right.

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I will tell you offhand I have about \$12,000 in it. I say I got \$12,000 in it. Part is a loan and part is money that I put in the original investment, but which is which I can't tell you at this moment because apparently I didn't bring that record with me because nobody asked for it. I simply listed the company.

Mr. KENNEDY. That is still operating, is it?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Did they make any other loans or have any other investors?

Mr. HOFFA. Who?

Mr. KENNEDY. Joll Properties.

Mr. HOFFA. I think the ones that I gave you are the people that have the combined interest in the property.

Mr. KENNEDY. Didn't they borrow some money from the Union Casualty?

Mr. HOFFA. \$11,000.

Mr. KENNEDY. How much?

Mr. HOFFA. \$11,000, and I think a considerable sum of money from the bank.

Mr. KENNEDY. What bank was that?

Mr. HOFFA. I don't know. Some bank up in Wisconsin.

Mr. KENNEDY. But they borrowed \$11,000 from the Union Casualty Co.?

Mr. HOFFA. That is right.

Mr. KENNEDY. That is Dorfman's company?

Mr. HOFFA. That is right. They made it as a loan and I also made a loan.

Mr. KENNEDY. And Bert Brennan was in that, too; is that right?

Mr. HOFFA. I think Bert was.

Mr. KENNEDY. Have you been in any other—

Mr. HOFFA. I may say that you will find in the Hoffman records all of this information which is more concise and complete than I can give you.

Mr. KENNEDY. Again, we will go through my statement about the Hoffman records. They did not finish their investigation, and the information is not contained there.

Mr. HOFFA. Yes, it is.

Mr. KENNEDY. Were you in any other business with Mr. Brennan?

Mr. HOFFA. Yes. I was in the local Columbus Trotting Track with him.

Mr. KENNEDY. Columbus?

Mr. HOFFA. Just a moment. I will give you that in a moment. 1948, Columbus Trotting Association.

Mr. KENNEDY. How much interest did you have in that?

Mr. HOFFA. Well, I think, and don't hold me to it, probably a sixteenth.

Mr. KENNEDY. And Brennan was interested in that, too?

Mr. HOFFA. That is right. We eight had—well, a small interest. I can't give you exactly what it was.

Mr. KENNEDY. Do you know how much investment you had in that?

Mr. HOFFA. Offhand at this moment, I don't know.

Mr. KENNEDY. What was the Columbus Trotting Association?

Mr. HOFFA. A harness track.

Mr. KENNEDY. A what?

Mr. HOFFA. A harness track.

Mr. KENNEDY. In Columbus, Ohio?

Mr. HOFFA. That's right. No, I don't think it was in Columbus. It was in some small town in Ohio.

Mr. KENNEDY. How long did that last?

Mr. HOFFA. I sold it in 1949.

Mr. KENNEDY. And did Brennan have an interest in that? Did he have some horses in that at that time?

Mr. HOFFA. He still has.

Mr. KENNEDY. He still has horses? Was he racing them at that track?

Mr. HOFFA. I wouldn't know.

Mr. KENNEDY. You didn't know that? He has horses that——

Mr. HOFFA. Trotters.

Mr. KENNEDY. Trotters. Did you have an interest in any of those horses with him?

Mr. HOFFA. No. That is one thing I kept out of.

Mr. KENNEDY. You didn't get into horses. Did you have any arrangement where he would bet money for you?

Mr. HOFFA. That's right. Each year.

Mr. KENNEDY. Each year. How would that be arranged?

Mr. HOFFA. Whatever he bets and I know nothing about the betting department, so whatever he bets he bets a like amount for me and we turn it into the Internal Revenue as to whatever our gains are.

Mr. KENNEDY. Have you made much money in that fashion?

Mr. HOFFA. Each year we make money.

Mr. KENNEDY. How much, approximately?

Mr. HOFFA. Five—ten thousand dollars.

Mr. KENNEDY. Just betting on his horses?

Mr. HOFFA. What?

Mr. KENNEDY. Just betting on his horses or on any horses?

Mr. HOFFA. I couldn't tell you.

Mr. KENNEDY. Who decides? Who does the betting, Brennan?

Mr. HOFFA. Certainly. Well, I don't know that he does the betting. He must make the decision. I don't have the full knowledge of that.

Mr. KENNEDY. You turn the money over to him and he decides how the bets will be made?

Mr. HOFFA. That's right.

Mr. KENNEDY. And every year you make five or ten thousand dollars in betting?

Mr. HOFFA. I can't tell you offhand exactly how much money we made. It is on my income tax and you can check it.

Mr. KENNEDY. Have you been in any other projects with Brennan?

Mr. HOFFA. Well, let's see. Yes, we had a prizefighter in 1952.

Mr. KENNEDY. What was his name?

Mr. HOFFA. Embrill Davidson.

Mr. KENNEDY. How long did that last?

Mr. HOFFA. It says we discontinued in 1953. From 1952 to 1953.

Mr. KENNEDY. Davidson?

Mr. HOFFA. Yes.

Mr. KENNEDY. Where did he fight, primarily out of where?

Mr. HOFFA. Primarily out of Detroit, and where else he would go.

Mr. KENNEDY. Were some of the teamsters funds used in connection with him at all?

Mr. HOFFA. Not with him.

Mr. KENNEDY. Were they used in connection with boxing at all?

Mr. HOFFA. That's right.

Mr. KENNEDY. When was that?

Mr. HOFFA. Well, I can't tell you. I would have to check.

Mr. KENNEDY. What was the teamster money used for?

Mr. HOFFA. It was for amateur fights, sponsored amateur fights on TV. I think we spent about \$2,200 or somewhere around there. We didn't get the rating on TV. We thought we should and we discontinued it.

Mr. KENNEDY. That had nothing to do with Davidson?

Mr. HOFFA. No.

Mr. KENNEDY. Have you had any other business interest with Dorfman? Have you finished with Brennan and Columbus?

(The witness conferred with his counsel.)

Mr. KENNEDY. Let's finish with Brennan.

Mr. HOFFA. You wanted Brennan, didn't you?

Mr. KENNEDY. Yes.

Mr. HOFFA. That is what I thought you said.

In 1951, a part interest in Northwest Oil Co., Brennan and I bought.

Mr. KENNEDY. How much money did you invest in that?

Mr. HOFFA. Well, I think we each put in \$10,000.

Mr. KENNEDY. \$10,000?

Mr. HOFFA. I think we did.

Mr. KENNEDY. Was that check or cash?

Mr. HOFFA. I don't know.

Mr. KENNEDY. The Northwest Oil Co.?

Mr. HOFFA. That's right.

Mr. KENNEDY. Invested in 1951?

Mr. HOFFA. That's right.

Mr. KENNEDY. You and Mr. Brennan?

Mr. HOFFA. That is what the record shows that was prepared for me. I assume it is right.

Mr. KENNEDY. How much did you invest? \$10,000?

Mr. HOFFA. I think we did.

Mr. KENNEDY. Was it by check or cash?

Mr. HOFFA. I think it was cash.

Mr. KENNEDY. Each one of you put up \$10,000 in cash?

Mr. HOFFA. I think we did.

Mr. KENNEDY. Can you tell us where you got that cash from?

Mr. HOFFA. I imagine it was out of an accumulation of money that we saved or had invested, whatever we did with it.

Mr. KENNEDY. Was anybody else interested in that?

Mr. HOFFA. Yes, there was.

Mr. KENNEDY. Who else?

Mr. HOFFA. Dr. Leo Perlman.

Mr. KENNEDY. Who is Dr. Leo Perlman?

Mr. HOFFA. At that time he had the union casualty insurance company.

Mr. KENNEDY. Is that the insurance company with whom the teamsters do business?

Mr. HOFFA. That's right. And Allan, I think, Paul Dorfman, and I think, again, Phil Goodman, the lawyer.

Don't hold me to those names, but I am quite sure that is what was in there.

Mr. KENNEDY. Do you think both Dorfmans, Allan and Paul Dorfman, were interested in this also?

Mr. HOFFA. I said Al and Paul, but I am not sure whether it was both. I can't tell you that.

Mr. KENNEDY. Allan at that time had this interest in union casualty company?

Mr. HOFFA. That's right.

Mr. KENNEDY. What happened to that Northwest Oil Co.?

Mr. HOFFA. It became defunct.

Mr. KENNEDY. When?

Mr. HOFFA. 1956.

Mr. KENNEDY. Did you get any money out of that?

Mr. HOFFA. No. We are still scrambling around, I think, trying to get it to where and what. They haven't gotten it straightened out yet.

Mr. KENNEDY. Were they digging oil wells?

Mr. HOFFA. No. It was buying and selling leases.

Mr. KENNEDY. Where?

Mr. HOFFA. Williston Basin, in the Dakotas.

Mr. KENNEDY. That has gone out of operation, the Northwest Oil Co.?

Mr. HOFFA. Right.

Mr. KENNEDY. It has been sold or what?

Mr. HOFFA. No, I think it was just dissolved.

Mr. KENNEDY. And there has been no money out of the \$10,000 that you invested? You got no money out of it?

Mr. HOFFA. I don't recall any.

Mr. KENNEDY. Do you think it is possible that you could have gotten money out of it?

Mr. HOFFA. Do I think it is possible? I say we are still——

Mr. KENNEDY. No, I am not talking about up to now. Do you think from the \$10,000 investment that it is possible that you would have gotten some money out of that?

Mr. HOFFA. I don't recall any.

Mr. KENNEDY. You don't recall. O. K., what other interests have you had? Any others with Brennan or Dorfman and Perlman?

Mr. HOFFA. It seems to me that this is the extent I have been able to put together. I am still having the accountants check it, but I am of the opinion that you have got the situation. We will have to check it to make sure.

Mr. KENNEDY. What about the Terminal Realty Co.?

Mr. HOFFA. Well, I guess that was maybe—what? How many years ago? Twenty years ago or fifteen years ago or something?

(The witness conferred with his counsel.)

Mr. HOFFA. Here it is 1945 to 1947.

Mr. KENNEDY. 1945 to 1947?

Mr. HOFFA. Yes.

Mr. KENNEDY. Who were you in that business with?

Mr. HOFFA. Oren DeMass.

Mr. KENNEDY. Who is Oren DeMass?

Mr. HOFFA. He was a tailor, a poet.

Mr. KENNEDY. A poet?

Mr. HOFFA. Yes.

Mr. KENNEDY. Was he anything other than a poet?

Mr. HOFFA. A tailor, I said.

Mr. KENNEDY. He was a tailor and a poet? Was he anything besides that?

Mr. HOFFA. I don't know whether he was or not.

Mr. KENNEDY. You don't know of any other job that he held?

Mr. HOFFA. Well, at one time he held a political job, but I don't think at this time.

Mr. KENNEDY. What political job?

Mr. HOFFA. A liquor commissioner at one time.

Mr. KENNEDY. So he was a poet, a tailor, and a liquor commissioner?

Mr. HOFFA. He could have been, if you want to go backward.

Mr. KENNEDY. He put some money in?

Mr. HOFFA. That is right.

Mr. KENNEDY. Oren DeMass and who else?

Mr. HOFFA. I think Jean Cassrole.

Mr. KENNEDY. Who is Jean Cassrole?

Mr. HOFFA. A fellow who owns a truck company.

Mr. KENNEDY. Who else?

Mr. HOFFA. I don't know who else.

Mr. KENNEDY. Mr. Matheson?

Mr. HOFFA. Did he?

Mr. KENNEDY. Did he?

Mr. HOFFA. I will tell you, I can't remember. He might have at that, now that I think about it. Maybe he did.

Mr. KENNEDY. What money did you put up for that?

Mr. HOFFA. It is my recollection, the best that I can do, that we borrowed \$25,000 from Oren DeMass.

Mr. KENNEDY. Which of the three positions did he have at that time?

Mr. HOFFA. He was both a tailor and a poet.

Mr. KENNEDY. And you got \$25,000 from him?

(The witness conferred with his counsel.)

Mr. HOFFA. I beg your pardon?

Mr. KENNEDY. You got \$25,000 from him.

Mr. HOFFA. And he took the stock in turn as a collateral on the loan, and then when we sold the company I think we made a small profit, all of us.

Mr. KENNEDY. What was the company?

Mr. HOFFA. Terminal Realty, I think it was.

Mr. KENNEDY. What does Terminal Realty Co. mean?

Mr. HOFFA. Well, we unloaded boats.

Mr. KENNEDY. Where did you operate?

Mr. HOFFA. In Detroit.

Mr. KENNEDY. You unloaded boats? Is there a port there?

Mr. HOFFA. There was a slip.

Mr. KENNEDY. Did you own the slip?

Mr. HOFFA. I think it was part of the property, but I don't think that it was actually owned by the company. I think just the cranes, the locomotives, the tracks and the entire operation and I think that was incidental to the property. I don't think it was actually owned by it.

Mr. KENNEDY. And you disposed of that when? In 1947?

Mr. HOFFA. In 1947; yes.

Mr. KENNEDY. Any other interest?

Mr. HOFFA. Well, I can't think of them offhand if there is. Maybe you got one.

Mr. KENNEDY. What about Theater Trucking?

Mr. HOFFA. Well, the Theater Trucking was one that wasn't actually—well, what happened was they went into business.

Mr. KENNEDY. Who went into business?

Mr. HOFFA. Theater Trucking. It was a very small operation. I had a truck which I turned over to them. I say "I." It was my wife's truck. We turned it over to them. They gave her, I think, \$500 for the truck. Whether or not I loaned them some money or they owed us some money, I don't know what. But anyway, she wound up with some stock in the company. The company went defunct.

Mr. KENNEDY. Mrs. Hoffa?

Mr. HOFFA. That's right.

Mr. KENNEDY. Not as her maiden name?

Mr. HOFFA. I don't think so. She now has a note that she is trying to collect.

Mr. KENNEDY. I will refresh your recollection that it was in her maiden name.

Mr. HOFFA. It was? All right.

Mr. KENNEDY. What did the Theater Trucking Corp. do?

Mr. HOFFA. Hauled film.

Mr. KENNEDY. Who did they have as drivers?

Mr. HOFFA. I don't know.

Mr. KENNEDY. Members of the teamsters?

Mr. HOFFA. Sure. Certainly.

Mr. KENNEDY. She was a stockholder in that company?

Mr. HOFFA. I think.

Mr. KENNEDY. Who else was in that company?

Mr. HOFFA. I don't know.

Mr. KENNEDY. Did Mr. Fitzsimmons have anything to do with that company?

Mr. HOFFA. No, I don't think so. I tried to tell Mr. Bellino, but I couldn't think of the name. I tried to locate the name.

Mr. KENNEDY. How about Dale Patrick?

Mr. HOFFA. That is the fellow.

Mr. KENNEDY. Was he related to Mr. Fitzsimmons?

Mr. HOFFA. I think so, in some way.

Mr. KENNEDY. What was Mr. Fitzsimmons' position at that time?

Mr. HOFFA. Vice president, local 299. It is also in the Hoffman committee.

Mr. KENNEDY. He is a business agent?

Mr. HOFFA. And a vice president.

Mr. KENNEDY. And Curly Patrick is his nephew; is that right?

Mr. HOFFA. I think so. I am not going to be held to it, but I think there was a relation. Let's put it that way.

Mr. KENNEDY. So his nephew and your wife in her maiden name had this company and you delivered film?

Mr. HOFFA. Only because, as I told you before, the truck that was turned over to them, and I don't know whether there was any money or not, but in any event, she has a note and she has not been able to collect for the stock or the truck.

Mr. KENNEDY. Did you know a Mr. Howard Kraven?

Mr. HOFFA. I knew him; yes.

Mr. KENNEDY. Did Mr. Fitzsimmons have a business relationship with him?

Mr. HOFFA. I assume he did.

Mr. KENNEDY. What was that business relationship?

Mr. HOFFA. Kraven was a trucker, I believe.

Mr. KENNEDY. The same kind of trucker as your wife?

Mr. HOFFA. I think so.

Mr. KENNEDY. What occurred? What was the relationship between the business agent of the teamsters and Mr. Kraven who owned the trucking company?

Mr. HOFFA. I imagine the relationship between an employer and business representative.

Mr. KENNEDY. Was there anything further? Did Mr. Fitzsimmons receive payments from Mr. Kraven?

Mr. HOFFA. Well, somebody tried to say he did.

Mr. KENNEDY. But he did not?

Mr. HOFFA. But I don't know what came of it because it was dropped and I can't answer your question. I don't know of my own knowledge.

Mr. KENNEDY. Yes, it was dropped. Did you inquire into it at that time?

Mr. HOFFA. There was no reason.

Mr. KENNEDY. There was no reason to?

Mr. HOFFA. No. The grand jury was investigating it.

Mr. KENNEDY. And you did not inquire into it yourself?

Mr. HOFFA. Not with the grand jury investigating it, and they found no cause to the best of my recollection.

Mr. KENNEDY. Was there any connection between that company of Mr. Kraven and possibly Mr. Fitzsimmons and the company of your wife and Mr. Dale Patrick?

Mr. HOFFA. I wouldn't think so.

Mr. KENNEDY. There was no relationship at all?

Mr. HOFFA. I wouldn't think so.

Mr. KENNEDY. How did your wife get to be a stockholder of that trucking service?

Mr. HOFFA. I just told you.

Mr. KENNEDY. You said you had a truck and \$500.

Mr. HOFFA. No. I said I had a truck which I think was worth \$500 and I am not sure whether we loaned them \$500 at that time.

Mr. KENNEDY. Who is "them"?

Mr. HOFFA. You are talking about Curly.

Mr. KENNEDY. Curly Patrick?

Mr. HOFFA. That's right.

Mr. KENNEDY. He had that company?

Mr. HOFFA. I think that is right.

Mr. KENNEDY. Did anybody else have an interest?

Mr. HOFFA. Offhand I can't tell you.

Mr. KENNEDY. Was he working for the teamsters at the time?

Mr. HOFFA. Not to my recollection.

Mr. KENNEDY. And you turned the truck over to that company and they made your wife a stockholder?

Mr. HOFFA. Well, I think it was a one-truck operation, wasn't it?

Mr. KENNEDY. I don't know.

Mr. HOFFA. You must have the information there. It was in the Hoffman hearings.

Mr. KENNEDY. I don't have that information. As you say, it stopped.

Mr. HOFFA. You said it stopped. I didn't say it stopped.

Mr. KENNEDY. I thought you said it stopped.

Mr. HOFFA. All this information was in the hearing and you can find it in 1943.

Mr. KENNEDY. We can't find the answer to that. Can you tell us how your wife became a third stockholder?

Mr. HOFFA. I just told you.

Mr. KENNEDY. How? She turned your truck over to them?

Mr. HOFFA. And I possibly gave them \$500. I am not too sure. But in any event, she wound up with a note of \$1,000 which she has not been able to collect.

Mr. KENNEDY. Do you have any other stock interest at the present time, other than Freuhauf?

Mr. HOFFA. Yes, I have some stock.

Mr. KENNEDY. Maybe you could furnish it to the committee. I do not think it is necessary to read it at this time.

Mr. HOFFA. I will be glad to give it to you.

Mr. KENNEDY. Under oath could you give us an affidavit?

Mr. HOFFA. Just a moment. What do you mean by that? What has that to do with this committee, the question of my stock? I don't mind letting you see what it is, but I don't know what it has to do with this committee.

Mr. KENNEDY. We would like to see what it is. I would like to make sure this is all that you have.

The CHAIRMAN. What is the point of the stock?

Mr. FITZGERALD. Mr. Chairman, I would at this time like to object to this turning over the stock for the same grounds I stated earlier, first, that it is an inquiry which is not pertinent.

Secondly, that it does not come within the scope of the resolution creating this committee and giving it authority, and, thirdly, that it could not in any way have a proper legislative purpose.

We would be glad——

The CHAIRMAN. Not unless there is some connection with the union, some collusion or something that way. I do not know.

Mr. HOFFA. We will be happy to let you look at the stock and let you make the determination. If you think there is one, I will tell you about it.

Mr. FITZGERALD. We will let you look at the stock if you want to.

Mr. KENNEDY. Do you have a list there?

Mr. HOFFA. That's right.

Mr. FITZGERALD. I just have one list, Mr. Kennedy, because after our talk Saturday, I neglected to mention to Mr. Hoffa that you had mentioned stock. We had to call up last night and put this together.

I will be happy to show it to you after the hearing or tomorrow.

The CHAIRMAN. After the hearing, counsel may check with your counsel and report back, and we will determine whether it is pertinent or not.

Proceed.

Mr. KENNEDY. Just going through the list of these companies, the Theater Trucking was a trucking company that you had an interest in through your wife in her maiden name——

Mr. HOFFA. Just a moment. That is not true. My wife had an interest in it.

Mr. KENNEDY. You did not have any interest?

Mr. HOFFA. My wife had it.

Mr. KENNEDY. You did not have any interest?

Mr. HOFFA. My wife had an interest in it and the stock was in her name. To the best of my recollection, the company didn't make any money so if she had it in her name, I don't think you can attach it to me.

The CHAIRMAN. The question is, Mr. Hoffa, she could have the stock and you could have stock, too, or she could have an interest and you could have an interest, too.

Mr. HOFFA. No; I said I didn't have an interest.

Mr. KENNEDY. You turned over your truck or her truck?

Mr. HOFFA. I believe it was my wife's truck, if I am not mistaken.

Mr. KENNEDY. The truck was in her name?

Mr. HOFFA. It could be one way or the other, but I think so.

Mr. KENNEDY. If we want to find out about the Theater Trucking Co., we would have to go to your wife?

Mr. HOFFA. If you want to bother my wife, ask me and I will be very happy to tell you, Mr. Kennedy, anything pertaining to this investment.

Mr. FITZGERALD. Mr. Kennedy, I will get the information and submit it to Mr. Bellino, and then if you want to, go further.

Mr. KENNEDY. I will put it this way: Your wife had an interest in Theater Trucking Co.; is that correct?

Mr. HOFFA. I say she did.

Mr. KENNEDY. And which had contracts at that time with the teamsters' union?

Mr. HOFFA. If my recollection serves me right, I think it was a one-man operation, if I am not mistaken. There certainly couldn't be, if there was one man operation, the conclusion that you are trying to draw.

Mr. KENNEDY. Let me go on to the J. & H. Sales Co. That was equipment that was leased to a company that had contracts with the teamsters, was it not?

Mr. HOFFA. You are right.

Mr. KENNEDY. The National Equipment Co. the same way; it had contracts with companies?

Mr. HOFFA. It is in the record.

Mr. KENNEDY. Companies that had contracts with the teamsters. And Test Fleet the same situation?

Mr. HOFFA. It is in the record.

Mr. KENNEDY. Terminal Realty Co. was an investment that you made with Mr. Matheson, as you remember?

Mr. HOFFA. And others that I listed.

Mr. KENNEDY. And Mr. Matheson represents the employers, the truckers. The White Seal Brewery also with Mr. Matheson; is that correct?

Mr. HOFFA. Not the brewery. P. M. L.

Mr. KENNEDY. P. M. L. That was with Mr. Matheson; is that right? He was one of those investors?

Mr. HOFFA. George said he was. I don't recall, personally.

Mr. KENNEDY. Northwestern Oil Co. was with the Dorfman; Mr. Allan Dorfman?

Mr. HOFFA. That is right.

Mr. KENNEDY. And he heads up the Union Casualty Co., with whom the teamsters do business?

Mr. HOFFA. That is right.

Mr. KENNEDY. Joll Properties with Allan Dorfman?

Mr. HOFFA. That is right.

Mr. KENNEDY. And with Dr. Perlman?

Mr. HOFFA. That is right.

Mr. KENNEDY. And the Columbus Trotting Association?

Mr. HOFFA. With Bert Brennan and other people who I can't give you the names of.

Mr. KENNEDY. Are there any other companies?

Mr. HOFFA. To the best of my knowledge, I can't recall any. I have made an investigation here and given you the best I can recall at this moment.

(Witness conferred with his counsel.)

Mr. HOFFA. Just a moment. Hold it. Pardon me, sir.

George brings to my attention that I think you named Perlman in Joll Properties.

Mr. KENNEDY. Joll?

Mr. HOFFA. Did you put Perlman in Joll Properties?

Mr. KENNEDY. Dr. Perlman? I think you testified about him.

Mr. HOFFA. No, I don't think he is in Joll Properties.

Mr. KENNEDY. Well, he was in one company. What was that?

Mr. HOFFA. Northwestern Oil.

Mr. KENNEDY. Northwestern Oil?

Mr. HOFFA. That is right.

Mr. KENNEDY. Just the Dorfman are in Joll Properties?

Mr. HOFFA. That is correct; and Goodman, as I told you.

Mr. KENNEDY. I have one other question.

As I understand it, you loaned some money to Mr. Jimmy James?

Mr. HOFFA. That is correct.

Mr. KENNEDY. When was that? 1946-47?

Mr. HOFFA. We will have to check the book. That I can't tell you, if you want to check the dates.

Mr. KENNEDY. How much money? Do you know?

(The witness conferred with his counsel.)

Mr. FITZGERALD. If you give me a moment, Mr. Kennedy, I will have to try to check the Hoffman committee hearings, because it is in there.

The CHAIRMAN. You may have a moment.

(The witness conferred with his counsel.)

Mr. FITZGERALD. Mr. Kennedy, could you go ahead with something else?

Mr. KENNEDY. If you can get the answer by tomorrow morning, that will be all right.

Mr. FITZGERALD. All right.

Mr. HOFFA. It was either \$2,500, or \$2,000. If you don't want to hold it to the buck——

Mr. KENNEDY. No, I won't.

Mr. HOFFA. It was either \$2,000 or \$2,500. One of those two, I believe, is the correct figure. But if it is any different, we will report it to you tomorrow morning.

Mr. KENNEDY. You loaned the money?

Mr. HOFFA. Brennan and I.

Mr. KENNEDY. And \$2,000?

Mr. HOFFA. One of those two figures.

Mr. KENNEDY. For what purpose did you loan Jimmy James money?

Mr. HOFFA. For him to be able to start an organization.

Mr. KENNEDY. What kind of organization?

Mr. HOFFA. Teamster organization.

Mr. KENNEDY. To start a union?

Mr. HOFFA. That is right.

Mr. KENNEDY. Had he had a charter lifted from another union earlier?

Mr. HOFFA. A federal labor union; yes.

Mr. KENNEDY. He had had his charter lifted and you were going to start him up in the teamster organization?

Mr. HOFFA. That is right.

Mr. KENNEDY. And you loaned him \$2,000?

Mr. HOFFA. One of the two figures I gave you. I am not quite sure.

Mr. KENNEDY. Was that cash or check?

Mr. HOFFA. I think it must have been cash.

Mr. KENNEDY. Did he pay you back?

Mr. HOFFA. Yes. In the way that you know.

Mr. KENNEDY. How was that?

Mr. HOFFA. By—it was an agreement with his union to pay my wife and Brennan's wife \$100 a week.

Mr. KENNEDY. They just listed it as a loan or were they listed as employees?

Mr. HOFFA. I don't know what his books show. I can't tell you.

Mr. KENNEDY. But they received \$100 a week?

Mr. HOFFA. That is right.

Mr. KENNEDY. The checks were made out in their maiden names?

Mr. HOFFA. I can't tell you that again.

Mr. KENNEDY. Do you believe it was in their maiden names?

Mr. HOFFA. It could be. I don't know.

Mr. KENNEDY. How much money did they receive in total?

Mr. HOFFA. I don't know.

Mr. KENNEDY. I think the record shows some \$6,000.

Mr. HOFFA. Put it down if it is.

Mr. KENNEDY. Why would Jimmy James and the teamsters local pay your wife and Bert Brennan's wife in their maiden names \$6,000 if you only loaned them \$2,000 or \$2,500?

Mr. HOFFA. Because of the arrangement that was agreed to between the union officials and ourselves.

Mr. KENNEDY. It was worth 300 percent?

Mr. HOFFA. Whatever percent it was. He felt that it was.

Mr. KENNEDY. Well, figure that you loaned them \$2,500, and you got paid back \$6,000.

Mr. HOFFA. Put it down the way you want. That is the story. I didn't come here to tell you anything except what is right.

Mr. KENNEDY. That is what your arrangement with Jimmy James was?

Mr. HOFFA. That is right.

Mr. KENNEDY. And Jimmy James, after that—he gave that local up, did he?

Mr. HOFFA. Yes.

Mr. KENNEDY. To Mr. Bufalino?

Mr. HOFFA. Yes. He became, I think, secretary-treasurer of the laundry workers union.

Mr. KENNEDY. While he was secretary-treasurer of the laundry workers union, did he continue on the payroll of the teamsters union?

Mr. HOFFA. I don't know.

Mr. KENNEDY. You don't know that?

Mr. HOFFA. Not of my own knowledge.

Mr. KENNEDY. Have you heard that?

Mr. HOFFA. Somebody made the statement. I don't know whether it is true or not.

Mr. KENNEDY. You can't give the committee any explanation as to why the teamsters union would continue to pay Jimmy James a salary while he was secretary-treasurer of the laundry workers?

Mr. HOFFA. He may have been doing some extra work. You never can tell.

Mr. KENNEDY. You don't know anything about that?

Mr. HOFFA. No.

Mr. KENNEDY. He went to Florida, then?

Mr. HOFFA. I don't think so. He went to Chicago, didn't he?

Mr. KENNEDY. Do you know if he went to Miami?

Mr. HOFFA. I think his headquarters are in Chicago.

Mr. KENNEDY. Do you know if he was down in Miami at all?

Mr. HOFFA. I think he was.

Mr. KENNEDY. Was he involved in that shooting of the colored boy that ended up with five bullets in his head?

Mr. HOFFA. I don't believe he was.

Mr. KENNEDY. I guess he refused to answer questions about that?

Mr. HOFFA. No, I don't think he was ever indicted and I don't think he ever stood trial. I don't know how he could be involved in it except some newspaper tried to involve him.

Mr. KENNEDY. Did you understand somebody tried to involve him?

Mr. HOFFA. I read it in the newspapers.

Mr. KENNEDY. That some fellow identified him?

Mr. HOFFA. It is peculiar, then, that he wasn't indicted.

Mr. KENNEDY. I understood he was indicted before the Douglas and Ives committee, he and his colleagues misappropriating some \$9,000.

Mr. HOFFA. I read it in the newspaper, but it was not the teamsters. Let the record show that.

Mr. KENNEDY. This was the man that you originally loaned some \$2,500 to and put your wife on the payroll of the union in her maiden name; is that right?

Mr. HOFFA. You are so correct.

The CHAIRMAN. Senator Kennedy?

Senator KENNEDY. You used the name Allan Dorfman?

Mr. HOFFA. I beg your pardon?

Senator KENNEDY. You had business dealings with Allan Dorfman?

Mr. HOFFA. That is correct, sir.

Senator KENNEDY. Did he handle or have any connection with the insurance or welfare of the teamsters?

Mr. HOFFA. That is correct. The only dealings I had with him is a girls' camp which is completely divorced from the union.

(At this point Senator Ervin entered the hearing room.)

Senator KENNEDY. He received a commission, expense allowance, and service fees of about \$790,000 from the Union Casualty Co. from 1949 to 1953 and about \$200,000 from the United Public Service Corp. or a total of more than \$1 million.

I understand that Mr. Dorfman's license was taken away from him by the New York State Insurance Department.

Mr. HOFFA. Are you asking me?

Senator KENNEDY. Yes.

Mr. HOFFA. I think that that is involved in court; isn't it?

Senator KENNEDY. What did you say?

Mr. HOFFA. Isn't that involved in court some way?

Senator KENNEDY. It was taken to court and then the court sustained the New York State Insurance Department.

Mr. HOFFA. It could be. I couldn't give you an answer.

Senator KENNEDY. And also the license of Dr. Perlman, with whom you also had a business deal, was also taken away from him.

Mr. HOFFA. I don't believe that. I think he sold his interest. Didn't he?

Senator KENNEDY. No. He was suspended by the New York State Insurance Department; Mr. Perlman and Mr. Dorfman.

Mr. HOFFA. Are you sure of that, Senator?

Senator KENNEDY. Yes. It is right here.

Mr. HOFFA. I wouldn't think that, Senator. He sold his company. I don't think so.

Senator KENNEDY. The question that I wanted to ask you is: Do you feel that in view of that action, that Mr. Dorfman is a good man to handle the teamsters business in insurance and welfare?

Mr. HOFFA. Mr. Dorfman's company has paid the benefits that are required by the policy that is given to teamster members, and it is comparable to any policy by any company that is signed, and the company who he is the agent only for, he is not the company, is a company that is handling the business of other unions as well as our own.

Senator KENNEDY. I understand that Mr. Dorfman took the fifth amendment, when he appeared, on all questions relating to your financial holdings, and he also took the fifth amendment regarding any joint financial interest he may have had with Mr. Hoffa, and he took the fifth amendment when questioned about obtaining insurance for local 102 of the UAW, and he took the fifth amendment on other questions involving some actions taken in New York.

As a chairman of a subcommittee of the Permanent Senate Labor Committee, which investigates labor and welfare plans, I am interested that you would be satisfied to continue Mr. Dorfman, or that you would be satisfied to have labor funds invested through Mr. Dorfman in view of Mr. Dorfman's background and record.

Mr. HOFFA. I think Senator Douglas investigated both our pension fund and welfare fund and Mr. Dorfman's company. If you will

check the record, I believe you will find that Senator Douglas said it was a well-operated, well-regulated and well-controlled fund, and gave it a complete paragraph in his report without any criticism whatsoever of that fund.

Is that correct or not, sir?

Senator KENNEDY. We have a report here that as a result of Allan Dorfman's refusing to allow the examiners to examine the books, coupled with the actions of Dr. Leo Perlman, who was then vice president of the Union Casualty Co., the New York State Insurance Department revoked Allan Dorfman's license and the license of the agency.

Dorfman appealed to the appellate court and the court in turn ruled in favor of the New York State Insurance Department, and the license of the agent and agency is still under revocation.

I am wondering in view of that if you are still satisfied to have Mr. Dorfman in that position with reference to the teamster welfare and pension plans?

Mr. HOFFA. We do not pay premiums to Mr. Dorfman's agency. We pay it directly to the company, and he is the representative of the insurance company. When we have any problems, they will be taken up with the insurance company, because their officials from New York appear at our meetings regularly, and we have proper accounting systems, and the books are subject to being investigated, as recently they were by the Internal Revenue, and by Senator Douglas.

And I say that our plan is an excellent plan and meets all the requirements of the ethical practices committee. I believe that as long as they meet the requirements that are in the policy, which is the insurance company, we cannot designate to them who is their agent.

Senator KENNEDY. The only question I have of you is: Is it not a source of concern to you about Mr. Dorfman, whose license has been suspended by the New York Insurance Department for failing to produce his records? Evidently it is not a source of concern to you that he has a connection with your welfare and pension funds. Is that correct? That is all I am asking you.

Mr. HOFFA. I am saying to you, sir, that Mr. Allan Dorfman did take the fifth amendment as you outlined, because he had internal revenue problems. When those problems were cleared up with the Internal Revenue, he then sent a letter to the Congress requesting the right to appear to correct the situation that he had previously taken the fifth amendment on and was not given an opportunity.

Since then he has, in my opinion, handled our welfare fund as well as anybody could handle it. His problem with the New York Insurance Commission should not subject our fund to criticism because he is only an agent of the company. I understand that some time early next year he will not be an agent of that company, and the company will probably have a new agent.

So we should not criticize the company because they have a problem of contractual relationships.

Senator KENNEDY. I am not only criticizing Mr. Dorfman. I am questioning your judgment. The ethical practices code states that no union official, employee or other person acting as representative of the union who exercises responsibility or influence in the administration of welfare programs or the placement of insurance contracts

should have any compromising personal ties, direct or indirect without said agencies such as insurance carriers, brokers, or consultants doing business with the welfare plans.

The point I am making is that you and Mr. Dorfman did have business. Mr. Dorfman took the fifth amendment before responsible agencies of the Government. Mr. Dorfman's licenses were revoked by the State of New York for refusing to produce the books.

It was taken to court and the court sustained the action of the insurance department in New York.

Nevertheless, with that background you do not see anything improper about Mr. Dorfman continuing in the connection that he does have with your insurance and welfare and pension plan.

Mr. HOFFA. As long as the insurance company meets the requirements of our policy, and we deal directly with the insurance company, I find nothing wrong with our operation.

I may say with regard to my investment one of the reasons Northwestern Oil was liquidated was because of Mr. Dorfman's unethical practice.

I may say, as I told you this morning, Joll Properties will also be out of the way, and we will have no connection with Mr. Dorfman whatsoever. I told you that this morning, sir.

Senator KENNEDY. I am glad to hear that. What we talked about this morning was your personal investment. Now I am talking about a tie that you had, under another section of the ethical practices, which expresses disapproval of a business tie with anyone who is tied up from the point of view of commissions, and so forth. That is another part of the ethical practices. I am glad of the fact that Mr. Dorfman is becoming disaffiliated with this plan.

Mr. HOFFA. That is why we are getting out of any investments with Mr. Dorfman, to comply with this ethical practice. We will be out of it as rapidly as we find someone who is willing to take over our obligation. We will not quarrel, and I want it plain, Senator, we will not quarrel with the ethical practice plan, even though we may not agree with it. We will comply with it on the parts that we believe have some justification.

Senator KENNEDY. It seems very reasonable to me.

Mr. HOFFA. I am not quarreling with it at all, sir. We are going to comply with it.

The CHAIRMAN. Are there any other questions?

Mr. KENNEDY. There was a question raised this morning about the type of cars that were carried by Test Fleet. We checked with Mr. Robert Shokley, vice president in charge of operations of Commercial Carriers, and he said that your company, the company in your wife's name, was the only company in their organization that carries just Cadillacs.

Mr. HOFFA. You asked who others of the trucking industry, Mr. Kennedy. That is what you asked me.

Mr. KENNEDY. Of all the companies from whom Commercial Carriers lease, you are the only one that carries just Cadillacs.

Mr. HOFFA. That is an entirely different question than this morning, and I can't say whether it is right or wrong. If you checked it, it would be right.

Mr. KENNEDY. The only thing is it is a great advantage for you financially to have the right to carry Cadillacs, and it is some interest,

the fact that you are the only one that has this relationship, that is allowed to carry just Cadillacs.

Mr. HOFFA. I would like to have the record show, in response to your statement, that I told your brother, Senator Kennedy, that it is our intentions of getting out of those businesses so that we can comply with the ethical practice, and we will not have to worry about what is hauled by those trucks.

The CHAIRMAN. Are there any other questions?

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Senator Curtis.

Senator CURTIS. Coming back to this transaction of a loan to Mr. James of \$2,500, or thereabouts, and it was repaid by weekly or monthly payments to the wives of the two of you—that is correct, is it?

Mr. HOFFA. That is correct, sir.

Senator CURTIS. Were those repayments handled as wages?

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I can't tell you that, sir, at this moment. It is quite a far ways back. I think maybe it is 1950-51, and I can't tell you, sir.

Senator CURTIS. Were any services performed, were they wages?

Mr. HOFFA. No, there were no services performed, sir.

Senator CURTIS. Was it treated as a loan and a repayment of a loan?

Mr. HOFFA. Well, Senator, I couldn't tell you at this stage. Nobody asked me to check into it. It is a subject that I just don't have at the tip of my tongue to tell you.

Senator CURTIS. Do you recall whether it was a loan or a profit-sharing risk that was taken?

Mr. HOFFA. The original money, sir, was a loan, but I cannot tell you the balance of your question.

Senator CURTIS. About how long a time elapsed from the time the loan was made until it was fully repaid?

Mr. HOFFA. That I can't tell you, either, sir, at this moment.

Senator CURTIS. If that was a loan, it would constitute usury, if all of that was interest, would it not?

Mr. HOFFA. Again, I can't tell you whether or not it was treated as salary, whether it was treated as a loan, or what it was. I couldn't tell you, sir.

Senator CURTIS. If it was treated as wages, you say that no services were performed?

Mr. HOFFA. Not to my knowledge.

Senator CURTIS. Now, if it was treated as wages, social-security tax would be paid on it, would it not?

Mr. HOFFA. I couldn't tell you whether it was or wasn't, sir.

Senator CURTIS. The social-security law covered wages in such an occupation at that time, did it not?

Mr. HOFFA. I don't know, sir.

Senator CURTIS. Do you know whether the withholding tax was paid on it?

Mr. HOFFA. I don't know anything about the transaction, sir, I couldn't tell you.

Senator CURTIS. That is all.

(At this point, Senator Ives withdrew from the hearing room.)

The CHAIRMAN. Are there any other questions?

Senator KENNEDY. Senator Curtis, just to get this point clear, I would like to ask this question.

The \$2,000 was loaned by you to Mr. James, is that correct?

Mr. HOFFA. Brennan and I.

Senator KENNEDY. And Mr. James——

Mr. HOFFA. I said this before, Senator, that I don't know if that is a correct figure.

Senator KENNEDY. Assuming it is a correct figure, and I understand it is, roughly, then James out of union funds paid you back \$6,000?

Mr. HOFFA. Pardon me, sir. I think it was \$3,500. It looks like from this record that it may have been \$3,500.

Senator KENNEDY. The Hoffman hearings to which you refer show \$2,500.

Mr. HOFFA. This is Mr. McKenna, and it says, \$3,500. I say "I think it should be \$2,500," and then they go on and they talk about the fact that it is a question, and I can't answer you right now.

Senator KENNEDY. All right, it was \$2,500. And then you received back from them, union funds, \$6,000?

Mr. HOFFA. I don't know whether it was or not, sir.

Senator KENNEDY. How long a time elapsed?

Mr. HOFFA. I can't tell you that.

Senator KENNEDY. And it was not a wage, as I understand it, because you would obviously know.

Mr. HOFFA. I don't know, sir.

Senator KENNEDY. It is not a wage?

Mr. HOFFA. I couldn't tell you.

Senator KENNEDY. Is it interest?

Mr. HOFFA. I cannot answer that question concerning that because I don't have the knowledge.

Senator KENNEDY. There were no services performed, and yet the money, the \$2,500, went up to \$6,000, in what, 2 years or 3 years?

Mr. HOFFA. I can't answer that, sir.

Senator KENNEDY. When the original loan was only \$2,500, why would it go to \$6,000?

Mr. HOFFA. I can't answer that, except for the fact—I can't answer that.

Senator KENNEDY. No services were rendered.

Mr. HOFFA. Except my services. My services were rendered by giving advice and counsel to the local union, and I don't know whether or not they considered that or not in the payment. I can't give you an answer.

Senator KENNEDY. Who paid you? Did he pay you out of his personal funds or out of the union funds?

Mr. HOFFA. That I can't answer either. I don't know.

Senator KENNEDY. Did you get it in cash?

Mr. HOFFA. I beg your pardon?

Senator KENNEDY. Did he pay it back in cash?

Mr. HOFFA. I can't answer it at this moment.

Senator KENNEDY. You do not know whether you were paid back in check or cash?

Mr. HOFFA. I don't recall.

Senator KENNEDY. But it is your opinion that those were union funds?

Mr. HOFFA. I don't recall.

Senator KENNEDY. Was it paid to your wife in salary?

Mr. HOFFA. I can't recall whether it was or was not, Senator.

Senator KENNEDY. In other words, you say for your advice. They were paying your wife. Was that for her services or your services?

Mr. HOFFA. I can't answer the question. I will have to check the facts. Nobody told me to bring it here. I will have to get abhold of the people involved and try to find out for you. I don't know.

Senator KENNEDY. Well, it is an unusual transaction to have an amount, a loan, of \$2,500 and get paid back \$6,000.

Mr. HOFFA. There could have been some circumstances surrounding it. I can't tell you, Senator.

Senator KENNEDY. \$6,000 in salary for your wife in her maiden name, to pay back a \$2,500 loan.

Mr. HOFFA. I can't answer.

Senator KENNEDY. And out of union funds.

Mr. HOFFA. It is 1950 or 1952, Senator, and I can't answer it.

The CHAIRMAN. Senator Mundt?

Senator MUNDT. You said it could have been for your advice to the local union.

Mr. HOFFA. They may have felt, sir.

Senator MUNDT. You would not be paid by a local union for advice that you give a local union in your capacity as vice president, would you?

Mr. HOFFA. I was not a vice president, sir.

Senator MUNDT. What were you?

Mr. HOFFA. At that time I do not believe I was a vice president. I think I was president of 299, if I remember correctly. I am not too sure. I think that was 1951, if I am not mistaken. At that time I was not a vice president, until 1952, the latter part.

Senator MUNDT. Did you have any union position beyond and higher than that of a local union at that time?

Mr. HOFFA. President of Joint Council 43, a nonpaying job, sir.

Senator MUNDT. Part of that function was to give advice to the members of the joint council?

Mr. HOFFA. I say I don't know whether or not that was part of the consideration.

Senator MUNDT. No, I do not either, but I would assume that it could not be, because it would seem to me that as president of the joint council part of your function would be to give advice to the local unions, and certainly you were not charging them for the advice that you were giving them.

Mr. HOFFA. I never have been paid by the joint council a salary, sir, so apparently it would not be for advice.

Senator MUNDT. So we can eliminate that?

Mr. HOFFA. I think you are right.

Senator MUNDT. It was not for advice?

Mr. HOFFA. I think you are right.

Senator CURTIS. When was the amount of \$6,000 agreed upon as the right amount you would be repaid for this loan?

Mr. HOFFA. I couldn't give you the answer, Senator.

Senator CURTIS. Was it before the loan was made?

Mr. HOFFA. Senator, I don't recall one single thing about it, except the fact—since I have this record as all that I can refer to, I don't recall it otherwise.

Senator CURTIS. It is true, though, that if this was handled to appear as wages, and, in fact, it was not wages, if no services were performed, then the recipients have received social security credit for a period of service that is inaccurate, that is a misstatement of the record, is it not?

Mr. HOFFA. Senator, until I get the facts, I couldn't answer you properly.

Senator CURTIS. But if it is a straight loan, certainly it exceeds—

Mr. HOFFA. It could be a loan, sir. I cannot answer you either way.

Senator CURTIS. Well, if it is, is there not a law in Michigan against usury?

Mr. HOFFA. I don't know what the circumstances were, Senator, and I can't properly answer you.

Senator CURTIS. That is all.

Senator MUNDT. Mr. Hoffa, do you have records with you or in Detroit which you can examine so that we can get down to the facts on this case?

Mr. HOFFA. No, sir. I only have the Hoffman hearing here of 1952, and I do not have any other records, sir.

Senator MUNDT. Do you have any records in Detroit?

Mr. HOFFA. No, sir.

Senator MUNDT. What can you do to provide the information—

Mr. HOFFA. I will try to—

Senator MUNDT. To provide the information the committee is seeking?

Mr. HOFFA. I will try to find Mr. James and get an answer for you. That is the best I can do, sir.

Senator MUNDT. Could your wife throw some light on it?

Mr. HOFFA. I doubt it.

Senator MUNDT. She would know how much money she got.

Mr. HOFFA. I think the income tax would reflect it.

Senator MUNDT. Well, in your wife's records, I suppose, there must be some record of the payment.

Mr. HOFFA. There are no records, sir.

Senator MUNDT. That leaves us in a curious position. We do not know what to conclude from this and you cannot help us very much.

Mr. HOFFA. You are right, sir.

Senator MUNDT. I wish you would get the information.

Mr. HOFFA. You are right.

Senator McNAMARA. Mr. Chairman, before you adjourn, I have a statement.

The CHAIRMAN. Senator McNamara.

Senator McNAMARA. Before you adjourn, and for the record, Mr. Chairman, I want to say there is a current newspaper strike in Detroit and my office has received telegrams from both management and labor, rather lengthy ones, asking us to take up with this committee the matters involved. I am turning those communications over to the committee staff. I want the record to show that I am doing that.

The CHAIRMAN. The Chair has also received a number of telegrams, and probably the other members of the committee have, too. They will all be turned over to the staff for as early attention as we can give them.

Unfortunately, the people that have problems think we ought to be on their doorstep in the morning.

There are at least physical limitations to this committee's actions.

The committee will stand in recess until 10:30 in the morning.

(Whereupon, at 4:53 p. m., the committee recessed, to reconvene at 10:30 a. m., Wednesday, August 21, 1957.)

(Members present at the taking of the recess: Senators McClellan, Kennedy, Ervin, McNamara, Mundt, and Curtis.)

INVESTIGATION OF IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

WEDNESDAY, AUGUST 21, 1957

UNITED STATES SENATE,
SELECT COMMITTEE ON IMPROPER ACTIVITIES
IN THE LABOR OR MANAGEMENT FIELD,
Washington, D. C.

The select committee met at 10:30 a. m., pursuant to Senate Resolution 74, agreed to January 30, 1957, in the caucus room, Senate Office Building, Senator John L. McClellan (chairman of the select committee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Irving M. Ives, Republican, New York; Senator John F. Kennedy, Democrat, Massachusetts; Senator Pat McNamara, Democrat, Michigan; Senator Sam J. Ervin, Jr., Democrat, North Carolina; Senator Karl E. Mundt, Republican, South Dakota; Senator Barry Goldwater, Republican, Arizona; Senator Carl T. Curtis, Republican, Nebraska.

Also present: Robert F. Kennedy, chief counsel; Jerome S. Adlerman, chief assistant counsel; Paul J. Tierney, assistant counsel; Robert E. Dunne, assistant counsel; John Cye Cheasty, assistant counsel; Walter R. May, assistant counsel; Walter Sheridan, assistant counsel; K. Philip O'Donnell, assistant counsel; Carmine S. Bellino, accounting consultant; Pierre E. G. Salinger, investigator; James Mundie, investigator; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the session were: Senators McClellan, Ives, Kennedy, and Goldwater.)

The CHAIRMAN. The committee will resume its interrogation of the witness, Mr. Hoffa.

Mr. Counsel, do you wish to proceed?

Mr. KENNEDY. Yes, Mr. Chairman. We are going to proceed on some of the matters that we were discussing yesterday, in connection with Mr. Hoffa's business interests and some of the loans he has made. I would like to get this list of stocks straightened out.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

The CHAIRMAN. Let the Chair make this observation. As I recall, yesterday when the question came up about the stocks, about some of Mr. Hoffa's investments, he said he would supply a list to the committee. At that time the Chair announced that the committee had no interest in his investments primarily other than those that might

have some relation to labor organizations or where there might appear to be some conflict of interest.

For that reason, at least the present, the Chair is not going to make this list submitted by the witness an exhibit, but will interrogate him about some of the stocks here that I understand have, or possibly have some relation to this labor organization.

According to this list submitted, it appears to the Chair there are some 200 shares of an F. C. Rigley stock.

Is that correct, Mr. Hoffa?

Mr. HOFFA. I believe so; yes.

The CHAIRMAN. Now, does that company have any labor contract with the teamsters?

Mr. HOFFA. Yes, sir; they do.

The CHAIRMAN. What kind of a company is it?

Mr. HOFFA. It is a chain-store operation.

The CHAIRMAN. What is it?

Mr. HOFFA. A chain-store operation, and also in connection with chain-store operation, a wholesale grocery operation.

The CHAIRMAN. And the teamsters have contracts for its employees?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Who is the labor relations man for the Rigley Co.?

Mr. HOFFA. They have an individual labor representative, and off-hand I can't think of his name, but they belong to an association, and Jack Buskin represents the association.

The CHAIRMAN. That is Buskin?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. The same gentleman from whom you made the loan?

Mr. HOFFA. That is correct, sir.

The CHAIRMAN. You had secured a loan from him at some time?

Mr. HOFFA. That is correct, sir.

The CHAIRMAN. Has that loan been repaid?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Now, we have another one. I believe you have 400 shares in that company.

Mr. HOFFA. Rigley you are talking about, sir?

The CHAIRMAN. Yes, I think there are two purchases.

Mr. HOFFA. Yes, sir.

The CHAIRMAN. 400 shares?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. The McLean Industries, and what kind of a company is that?

Mr. HOFFA. The particular McLean industry listed there has changed its name, and I do not know the exact new name, but it is a company that has steamships and also has boats that deliver trailers, with a flat top on it, where trailers normally hauled by tractors go on to the boat to a destination and then are picked up later on at the other end and delivered to the final destination by tractors.

The CHAIRMAN. I have a memorandum here prepared, I assume by the staff, which says McLean Industries is a holding company which operates through its subsidiaries various worldwide, coastwise, and intra coastal steamship services, and engages in other related activities. These subsidiaries include Waterman Steamship Corp., a world-

wide steamship service; Pan-Atlantic Steamship Corp., a coastwise steamship service operating on the Atlantic coast; and Pan-Atlantic Carloading Dispatch Service, Inc., a freight-forwarding service; and Gulf-Florida Terminal Co., Inc., a warehousing unit and terminal in Tampa, Fla.; and Waterman Dock Co., owned by the Waterman Steamship Corp., which operates a terminal in San Juan, P. R.

Do you have that information, or is that correct, or do you know?

Mr. HOFFA. I don't know, sir, but I do believe that that has been changed by orders of the Interstate Commerce Commission to where it has been consolidated into one company, and I think that the principal company today is the Pan-Atlantic Transportation Co.

The CHAIRMAN. I note this memorandum says this source of information is standard corporation description, published by Standard & Poors. That is the source of the committee's information regarding it.

I note you have 600 shares of stock in that company. Does that company have contracts with the teamsters union?

Mr. HOFFA. The truck company, McLean, has contracts with the teamsters union, but the company that the stock is held in I do not believe has any contracts with the teamsters, since they would be doing business with the longshoremen's union rather than the teamsters. All we would do would be bring the trailers to a compound by McLean truckline, and then the steamship operation would take over from the compound on to the boat and off at the other end.

The CHAIRMAN. Seeing that some of these companies or one of them has for instance, a freight-forwarding service, I suppose by freight they wouldn't mean ocean shipping. I suppose they would mean international freight.

Mr. HOFFA. It could be a car-loading company that consolidates freight, and could very well be not under our jurisdiction, but the railway clerks union.

The CHAIRMAN. The real question is whether there is, as I have stated before, whether there can exist a conflict of interest by reason of contracts they make with labor organizations where they would probably have to negotiate with your union, and your having a financial interest and a part ownership of the company itself.

Is there any other question?

Mr. HOFFA. May I make a comment on that, sir?

The CHAIRMAN. You may.

Mr. HOFFA. The small numbers of shares of stock that are involved in that piece of paper couldn't amount to a fraction of the total number of shares of stock that are issued by any one of those companies, and could not possibly affect in any way the operations of any one of those companies insofar as a conflict of interest is concerned. Both of the companies you mentioned are on the stock market for the public's right to purchase.

The CHAIRMAN. I appreciate that. The Chair has refrained from stating the value of those stocks, and if you care to do so you may.

Mr. HOFFA. I beg your pardon?

The CHAIRMAN. The Chair has refrained from stating from your memorandum here, from your list, the present market value of the stocks, and I will leave it to your discretion, if you care to state their present market value you may do so.

Mr. HOFFA. I think that Rigley is somewhere around \$13 and a fraction, and I believe that McLean must be somewhere around \$16, if I am not mistaken.

The CHAIRMAN. I believe you showed the totals there and since you gave that, the totals of Rigley, 200 shares, worth \$2,900, and the McLean Industries, 600 shares, \$8,100. That is your best information?

Mr. HOFFA. That is the best information I have compiled; yes, sir.

The CHAIRMAN. Mr. Counsel, you may proceed.

Mr. KENNEDY. I have some checks that I wanted on some other matters that I wanted to ask you about, Mr. Hoffa.

Are you familiar with the company called Abstract & Title Guarantee Co.?

Mr. HOFFA. I believe that is a Detroit concern, and when you say I am familiar with it, I know who the company is; let us put it that way.

Mr. KENNEDY. Did the teamsters union locals, any locals, advance or loan that company any money?

Mr. HOFFA. No; not that company. They placed in deposit of the Abstract Co. a certain amount of money for the Marberry Construction Co. to have a rotating construction fund.

Mr. KENNEDY. What is the Marberry Construction Co.?

Mr. HOFFA. Who are the principals; you mean?

Mr. KENNEDY. Yes.

Mr. HOFFA. Grosberg, Silberg, and Fitzgerald.

Mr. KENNEDY. Grosberg, Silberg, and Fitzgerald?

Mr. HOFFA. Yes. He kind of got lost in the shuffle.

Mr. KENNEDY. Who is Mr. Grosberg?

Mr. HOFFA. An accountant.

Mr. KENNEDY. And is Mr. Grosberg the Mr. Grosberg mentioned here yesterday, that you received a loan from?

Mr. HOFFA. That is correct.

Mr. KENNEDY. You received a \$4,000 loan from him?

Mr. HOFFA. Just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. Also, I am told that his father, Ben Grosberg, is also in this company, so there would be two Grosbergs.

Mr. KENNEDY. Grosberg, Grosberg, Silberg, and Fitzgerald?

Mr. HOFFA. That is right.

Mr. KENNEDY. Mr. Grosberg is the accountant for the teamsters?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And he is the one from whom you received a loan of \$4,000?

Mr. HOFFA. Yes, sir; and I paid it back.

Mr. KENNEDY. And Mr. Silberg, does he have anything to do with the teamsters?

Mr. HOFFA. I am informed he is a builder.

Mr. KENNEDY. He is a what?

Mr. HOFFA. A builder.

Mr. KENNEDY. And Mr. Fitzgerald is Mr. George Fitzgerald?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. What is the Marberry Construction Co. doing?

Mr. HOFFA. It is a concern that builds homes.

Mr. KENNEDY. How much money was loaned to them?

(The witness conferred with his counsel.)

Mr. HOFFA. I understand, and don't hold me to these figures, I think it is around \$75,000, and it is at 6 percent, and the payout is handled by the company you mentioned, on a construction rotating basis. It is paid out only on vouchers in regard to construction, where the union has a first mortgage on the construction.

Mr. KENNEDY. Is that \$75,000 from one union?

Mr. HOFFA. No, it is not; two unions.

Mr. KENNEDY. Which unions?

Mr. HOFFA. I believe it is 299 and 337.

Mr. KENNEDY. That was a loan made in 1955, was it?

Mr. HOFFA. I believe that you will find.

Mr. KENNEDY. I have one check here, but of course we don't have the records for 299.

The CHAIRMAN. I hand you a check, a photostatic copy of a check, paid to Abstract Title Guarantee Co., in the amount of \$37,500, drawn on the Bank of the Commonwealth of Detroit, by Food and Beverage Drivers Local, 337, dated September 29, 1955.

Mr. HOFFA. I don't deny the check, sir.

The CHAIRMAN. I want to get it in the record. I present it to you and let you identify it.

(A document was handed to the witness.)

Mr. HOFFA. Yes, sir.

The CHAIRMAN. That check being identified by the witness may be made exhibit 160.

(The document referred to was marked "Exhibit No. 160" for reference and will be found in the appendix on p. 5277.)

Mr. HOFFA. I would like to have the record show that the company has paid its interest currently, and the money has gone out of the escrow company back into the Casualty Co. and has paid out only on vouchers and they paid 6 percent, and we could not receive the same amount of interest if we had it in a normal bank account, and it is amply secured by the facilities that are built by the mortgage money.

The CHAIRMAN. There is something about another check.

Do you have the other check?

Mr. KENNEDY. We don't have the records of 299, but the other check is in 299.

The CHAIRMAN. The witness says that he thinks that another local participated.

Mr. HOFFA. I know it did, sir.

The CHAIRMAN. To the same extent?

Mr. HOFFA. I believe so.

Mr. KENNEDY. Does the union make many loans such as this?

Mr. HOFFA. We would if we found a substantial company, and we found that we could get 6 percent; yes, sir.

Mr. KENNEDY. You found that Mr. Fitzgerald, who is the attorney for the teamsters, and Mr. Grosberg, the accountant for the teamsters, was the kind of a company, or established the kind of company that you wanted to loan the money to?

Mr. HOFFA. I would say if they were substantial and had the same security as anybody else, I would rather do business with friends than enemies, or people I don't know.

Mr. KENNEDY. About what time did you receive the \$4,000 loan from Mr. Grosberg?

Mr. HOFFA. I thought I gave it to you yesterday.

Mr. KENNEDY. I was wondering what period of time it was.

Mr. HOFFA. In 1956. No, it was 1955.

Mr. KENNEDY. It was about the same time as these loans were made.

Mr. HOFFA. There were two.

Mr. KENNEDY. How much were they?

Mr. HOFFA. One was \$4,000, and one was \$7,500. Both paid back.

Mr. KENNEDY. In 1955 and 1956?

Mr. HOFFA. That is right. That is the record that I have, which was produced and I assume they are right.

(At this point Senator Mundt entered the hearing room.)

Mr. KENNEDY. I would like to ask you about some other checks.

The CHAIRMAN. The Chair presents to you another check, photo-static copy, made payable to Joseph Bulger, in the amount of \$15,000, dated July 27, 1956, drawn on Food and Beverage Drivers Local Union, No. 237. Will you examine that and state if you identify it?

(A document was handed to the witness.)

Mr. HOFFA. This is one of a series of checks and I think the checks are there that went to the purchase of a home known as the Nansett Estates, by local 37, and participated in by local 299, jointly, which has recently been sold, or rather recently been turned over to joint council 43 within the very short period after the purchase, for the sole reason of establishing a school for business agents and officers to be able to have professors from recognized universities teach them the handling of pension, welfare, and contract negotiations. I think the total sum you will find is \$150,000.

The CHAIRMAN. That check may be made exhibit 161.

(The document referred to was marked "Exhibit No. 161" for reference and will be found in the appendix on p. 5278.)

The CHAIRMAN. The Chair presents to you another check made payable to Joseph I. Bulger, attorney for fund 96 in the amount of \$134,317.79, and the check by the Food and Beverage Drivers Union, No. 337.

(A document was handed to the witness.)

The CHAIRMAN. Will you please examine this check and see if you identify it?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. That may be made exhibit No. 162.

(The document referred to was marked "Exhibit No. 162" for reference, and will be found in the appendix on p. 5279.)

Mr. HOFFA. I would like to say, Mr. Chairman, that I recognized the check, and acknowledge it, but apparently there is another check somewhere that makes up \$150,000.

The CHAIRMAN. That makes almost \$150,000.

Mr. HOFFA. Somewhere there is a combination of checks.

The CHAIRMAN. The other one was for \$15,000 and this was \$134,000, and that is close to it.

Mr. KENNEDY. It was all purchased by this local?

Mr. HOFFA. The check was draft by the local. Mr. Kennedy, but the money was jointly put up by local 299 and 337, and with the understanding that the joint council was to take over the operation of the property because it will not only be the agents of 337 and 299 but the total local unions ultimately in Central States that will use the schooling as such, and we are starting it up as an experiment.

The CHAIRMAN. So there will be no confusion in the record, there are not two other comparable checks from the other local?

Mr. HOFFA. No, sir, I see what you mean.

The CHAIRMAN. The total investment was around \$150,000, and not \$300,000?

Mr. HOFFA. That is right.

The CHAIRMAN. Proceed.

Mr. KENNEDY. That is going to be a sort of a school for the business agents and the officers?

Mr. HOFFA. That is right, and if it works out properly we will have the key stewards also attend classes.

Mr. KENNEDY. Is it a home and some land?

Mr. HOFFA. It is a home and some land, with sufficient sleeping quarters, I believe we can have about 30 or 40 people at a time in classes, and we don't think it is advisable to have more than that at a time to try and get people to listen properly to explanations.

Mr. KENNEDY. Did you participate in the negotiations for the purchase of this property?

Mr. HOFFA. I think that I went down one time but Mr. Brennan primarily handled it and I know very little about the details.

Mr. KENNEDY. Have you ever heard of Paul "The Waiter" Ricca?

Mr. HOFFA. I know who you are talking about, and I read the same stories that were published in the newspapers, and I want to get it on the record that there is no foundation for the statements that appeared in the paper, because immediately we had the abstracts checked with the trust company that we purchased the property from, and nowhere in this abstract, from the time it was farmland, could there be discovered the name of Paul Ricca.

Mr. KENNEDY. You stated he never owned or never had anything to do with this property?

Mr. HOFFA. The abstract as such—according to the trust company, his name did not appear there. All we could go by was the abstract.

Mr. KENNEDY. Now, it says here "Pay to the order of and deposit to the account of Paul De Lucia." Do you know who Paul De Lucia is?

Mr. HOFFA. Well, I will not try to identify him because I am not that sure.

Mr. KENNEDY. Paul De Lucia is another name for Paul Ricca.

Mr. HOFFA. I don't believe it.

Mr. KENNEDY. You do not?

Mr. HOFFA. It could be possibly so, and we tried to find out, and we haven't been able to find that out.

Mr. KENNEDY. There is no question that they are one and the same individual, Mr. Hoffa.

Mr. HOFFA. I cannot answer the question and I have no knowledge.

Mr. KENNEDY. If you went and made a study of this, you didn't make much of a study if the name appears right here on the back of the check, Paul De Lucia.

Mr. HOFFA. I didn't say that. I said, Mr. Kennedy, that we called the trust company and asked them whether or not Mr. Ricca had at any time had his signature on the abstract, and the trust company informed us it wasn't so. I can only go by what the trust company said.

Mr. KENNEDY. It would appear from these checks that the teamsters union purchased a home, the home of Paul "The Waiter" Ricca,

who is a notorious hoodlum, for \$150,000, as a school for its business agents and officers; is that right?

Mr. HOFFA. I say that we did not purchase it from Paul Ricca, and we purchased it from a trust company, and we did not inquire at first as to who was the previous owner, because there was no reason, but when there was publicity we then again checked with the company to find out who owned the property. They told us that nowhere in the abstract did the name appear, of Ricca. I didn't check for any other name because I had no reason to check for it.

The CHAIRMAN. Mr. Hoffa, do you know or do you have any information that Paul De Lucia and Ricca are the same person?

Mr. HOFFA. Not of my own knowledge; no, sir.

The CHAIRMAN. Have you had that information?

Mr. HOFFA. Not until it was given to me now, and I never have been informed of it.

The CHAIRMAN. Who is Paul De Lucia; do you know him?

Mr. HOFFA. I haven't met him and I couldn't tell you.

The CHAIRMAN. Do you know why he would be handling this money?

Mr. HOFFA. No, sir.

The CHAIRMAN. I don't know what the staff has on him being the one and the same person.

Mr. KENNEDY. There is no question about it, Mr. Chairman.

The CHAIRMAN. I don't know what you have on that and you may need some proof on it later. I am just trying to find out if the witness has any information as to why, even if they are different persons, why Paul De Lucia would be getting the money from these checks.

Mr. HOFFA. I can't tell you, sir.

Mr. KENNEDY. I would think if you became interested in it, after you saw this note in the paper, that you might just look on the back of the check to see where the money went. I would think that that might give you a clue, Mr. Hoffa, if you were really interested.

Mr. HOFFA. I think the abstract would be a better way of looking at it from my observation.

Mr. KENNEDY. Now, Paul Ricca according to our information has just been ordered deported by the Federal authorities and he was part of the Capone mob. Do you know his history at all?

Mr. HOFFA. I have read of the history in the newspaper after it was printed.

Mr. KENNEDY. Did you ever meet him?

Mr. HOFFA. No.

Mr. KENNEDY. You never did?

Mr. HOFFA. Never.

Mr. KENNEDY. O. K.

The CHAIRMAN. I present to you another photostatic copy of a check, Mr. Hoffa, dated January 25, 1956, payable to Northville Downs in the amount of \$50,000. The check was issued by Food and Beverage Drivers' Local No. 337.

I will ask you to examine this check and state if you identify it.

(A document was handed to the witness.)

Mr. HOFFA. Yes, sir.

The CHAIRMAN. That will be made exhibit No. 163.

(The document referred to was marked "Exhibit No. 163" for reference, and will be found in the appendix on p. 5280.)

Mr. KENNEDY. This is a check dated June 25, 1956, pay to order of Northville Downs, for \$50,000. What is Northville Downs?

Mr. HOFFA. It is a trotting track.

Mr. KENNEDY. A trotting track?

Mr. HOFFA. That is right. I don't believe they have runners, but they may have. It is only trotting.

Mr. KENNEDY. Whereabouts is it?

Mr. HOFFA. Northville, Mich.

Mr. KENNEDY. Could you explain the check to the committee?

Mr. HOFFA. No, I cannot give you the full explanation. As I told Mr. Bellino, I only knew from odd conversations that I got what the situation was, but to give you the exact details, I couldn't do that.

Mr. KENNEDY. What is, generally, the explanation of this check?

Mr. HOFFA. I understand that the money was in the bank, drawing a short interest and they had an opportunity to make a loan and get a larger interest for a shorter period of time, which they did, and it was paid back and I don't want to be held to this, but I understand it was paid back within 60 or 90 days with an interest rate greater than what the interest rate was the money was getting from the bank.

Mr. KENNEDY. This is trotting track, is it?

Mr. HOFFA. That's right.

Mr. KENNEDY. And the union was loaning them \$50,000?

Mr. HOFFA. They loaned them the money, on some arrangement, which I can't give you the details on, and I am not going to try to explain it because I don't know.

The CHAIRMAN. Did you have any interest in that trotting track, Mr. Hoffa?

Mr. HOFFA. No, sir.

The CHAIRMAN. The check is signed by Bert Brennan and Robert Holmes. Did Brennan trot his horses out there?

Mr. HOFFA. I think his horses visit all of the tracks.

The CHAIRMAN. This is one of the tracks at which he had his horses?

Mr. HOFFA. That is right.

The CHAIRMAN. Can he run horses in New York now—Mr. Brennan?

Mr. HOFFA. I don't know whether he can or not. There was some dispute and I don't know what they did with it, and I can't tell you.

The CHAIRMAN. His license was revoked, was it not?

Mr. HOFFA. I understand, but I don't know whether it was adjusted or not.

The CHAIRMAN. I understand he is still not allowed to trot horses in New York State.

Mr. HOFFA. I can't answer.

The CHAIRMAN. You do not know what the difficulty was?

Mr. HOFFA. No.

The CHAIRMAN. Do you have any idea why they would not allow him or would not give him a license in New York State to have his horses?

Mr. HOFFA. I would rather not discuss something that I don't have complete knowledge of.

The CHAIRMAN. Is he an officer of the union?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. He was loaning, in effect, money to himself?

Mr. HOFFA. No, sir.

The CHAIRMAN. He was loaning money to a track where he ran his horses, is that statement correct?

Mr. HOFFA. Yes, sir. I may say I have been informed also from conversations, same as the other, there was sufficient collateral to cover it, or more so.

The CHAIRMAN. I hand you another photostatic copy of a check made payable to Edward Crumback, dated March 9, 1954, in the amount of \$5,000 and this is issued by the Michigan conference of teamsters. It is on the Bank of Commerce, Detroit, Mich.

Will you examine this check and state if you can identify it, please, sir?

(A document was handed to the witness.)

Mr. HOFFA. Yes.

The CHAIRMAN. That may be made exhibit 164.

(The document referred to was marked "Exhibit No. 164" for reference, and will be found in the appendix on p. 5281.)

(At this point, Senator Ervin entered the hearing room.)

Mr. KENNEDY. On March 9, the check is dated March 9, 1954, in the amount of \$5,000 to Edward Crumback, what position did Edward Crumback hold at that time?

Mr. HOFFA. At that time he was a vice president of the international.

Mr. KENNEDY. Vice president of the international union?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. What was this payment for?

Mr. HOFFA. It was a donation.

Mr. KENNEDY. For what?

Mr. HOFFA. For the purpose of Crumback having an opportunity to be able to retain his position in the local union election, voluntary donation.

Mr. KENNEDY. It was a \$5,000 donation from this Michigan conference of teamsters, to Mr. Crumback, who was running for reelection; is that right?

Mr. HOFFA. It was a donation to Crumback to do as he saw fit with in his election.

Mr. KENNEDY. And where was he running for election?

Mr. HOFFA. Local 107, Philadelphia.

Mr. KENNEDY. So the union funds of the Michigan conference of teamsters were donated to a man who was running for an elective office of the teamsters in Philadelphia; is that right?

Mr. HOFFA. That is correct, for the purpose that we knew was necessary for the benefit of the Michigan conference of teamsters, because we have trucks running in and out of Philadelphia, and a strike in Philadelphia can affect the city of Detroit just as though there was a strike in Detroit.

The CHAIRMAN. Who was Mr. Crumback's opponent?

Mr. HOFFA. A Mr. Ray Cohen.

The CHAIRMAN. Mister who?

Mr. HOFFA. Ray Cohen.

The CHAIRMAN. He was local 107 in Philadelphia?

Mr. HOFFA. I am quite sure that is the number; yes, sir.

The CHAIRMAN. Of the teamsters?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Is it a practice for the conference to take issue in local elections in other areas of the country?

Mr. HOFFA. Wherever we think it affects our interest, we definitely take a position in it.

The CHAIRMAN. In other words, you used the dues money of folks out at Michigan to try to influence the election in Pennsylvania?

Mr. HOFFA. There is no question about it. Anywhere in the country where we think it will affect our economic issues or affect our members.

The CHAIRMAN. There is just one point that comes to my mind. Under the democratic processes, do you think it would have been better to let the individuals of that local choose their own officials?

Mr. HOFFA. I believe that it is the right of each teamster member in this country and each officer to have the right to be able to go into any given territory where there is a chartered teamster union to work in behalf of any candidate that they believe will be to the best interest as a whole of the members affected not only in that city but other cities on an intra basis.

The CHAIRMAN. That gives rise to this thought. Suppose a little local up in Philadelphia or somewhere else was a local that did not have a great deal of finances, the membership possibly have not built up the treasury as much as you have built it up in the conference. Would that not put them at some disadvantage for a conference to make available its financial strength to a favorite candidate?

Mr. HOFFA. On the same basis as the Republican and Democratic National Committees do; yes, sir.

The CHAIRMAN. Well, they have a nationwide interest.

Do you take the position that the western conference has a nationwide interest to undertake to control the elections on the east coast?

Mr. HOFFA. I certainly do.

The CHAIRMAN. That is your position?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Senator Mundt?

Senator MUNDT. I would like to know whether the witness carries that statement of philosophy over into the field of voting on governors, Senators, and Congressmen?

Mr. HOFFA. I can rest assured the same philosophy.

Senator MUNDT. The same philosophy. In other words, you feel—

Mr. HOFFA. The difference being, if I may say, Senator, that the membership of the local union ultimately decides who is right, who is wrong, who they want, who they don't want, and in the same instance it applies to Senators, Governors, and Congressmen.

Senator MUNDT. Let us say the Governor of the State of New Mexico would not necessarily be elected by the teamsters of New Mexico.

Mr. HOFFA. Correct, sir.

Senator MUNDT. But if the teamsters of Detroit are funneling in over 5, 10, and 25 thousand dollar contributions it may be that the people of Detroit are determining who the people of New Mexico elect as governor.

Mr. HOFFA. Of course that is a hypothetical question, and it could be highly debatable. All I can say to you is this, that since trucks run interstate in this country, it is conceivable that what happens in any one State can very vitally affect what happens in the other State through legislative passage of laws. Therefore, I believe the teamsters union particularly would have an interest in electing candidates or assisting candidates to be elected that were not antitruck.

Senator MUNDT. Let me see if I understand your philosophy specifically. You feel that it is perfectly proper for you or whoever heads the teamsters joint conference in the city of Detroit to take the dues paid by members of your teamsters union and contribute to a candidate for the governorship in New Mexico, if you feel he is going to be somebody who is friendly to the trucking industry?

Mr. HOFFA. I didn't say that.

Senator MUNDT. That is what I am asking.

Mr. HOFFA. But when there are individuals who get on the radio and deliberately campaign, or their past history shows that they are attempting to destroy the jobs of the teamster members, then I believe that we reserve the right to go into those territories and assist the individuals who are not trying to give preference to teamsters or to the truckers, but are trying to be fair, to receive assistance.

Senator MUNDT. Who makes that decision? You as the president of the central conference, or the men who pay the dues, whose money is being used for that purpose?

Mr. HOFFA. It would very easily be both.

Senator MUNDT. Well, who would it normally be?

Mr. HOFFA. In the instance of a conference, which isn't a question of membership but a question of an elected executive board, the elected executive board would make the decision. In the instance where it is the local union, the local union and the membership would make the decision.

Senator MUNDT. I take it, then, that in the field of political activity, you and Mr. Reuther see eye to eye.

Mr. HOFFA. I wouldn't agree to that statement by no stretch of the imagination. But I agreed, as Mr. Reuther agrees, that we have a right to go into any given part of the United States to, if possible, bring about certain enlightenment of statements and facts made by candidates for the enlightenment of the public and their education before going into voting.

Senator MUNDT. Let us take a hypothetical case. Let us say that the candidate for Governor of New Mexico has a brother who is a teamster in Detroit. And you decide to throw your influence against the candidate for Governor of New Mexico whose brother is a teamster in Detroit. You collect from him his dues and his money, and then, consequently, compel him to contribute money to defeat his brother in New Mexico. Do you think that is good democratic practice?

Mr. HOFFA. Well, I would say that it certainly is a hypothetical case.

Senator MUNDT. But not impossible. Brothers cross State lines just like teamsters money crosses State lines.

Mr. HOFFA. I would say, Senator, if it did happen, and if the membership approved of the expenditures of the funds, and actually they

are the final authority on it, I would see nothing undemocratic about the situation.

Senator MUNDT. Nothing undemocratic about taxing a man to try to defeat his own brother?

Mr. HOFFA. I said that if the membership approved, Senator.

Senator MUNDT. Well, if the membership approves. You said it would be done by the membership or by the officers or both.

Mr. HOFFA. That is what I said. You are right.

Senator MUNDT. So it might be done by the officers. It is so much easier that way, so much quicker. It probably would be done by the officers.

(The witness conferred with his counsel.)

Mr. HOFFA. The answer that I would give you, Senator, is this: Maybe my counsel don't agree, but I am responsible to the members welfare, and I maintain the fact that wherever there is an elected official that is in opposition to the union for the purpose of destruction of the union or refuse to promote legislation in behalf of the working people of that State, that it is the responsibility of the leaders of labor to enlighten the general public to situations which they may not become acquainted with because of the facts not being circulated to the point that the average citizen would know of it in his own city or State.

The CHAIRMAN. Go ahead, Senator Mundt.

Senator MUNDT. Do you not think that the people of New Mexico, the truckers included, have the capacity to present to their fellow voters the attitudes of the candidates?

Mr. HOFFA. Unfortunately, Senator, attitudes must be expressed and expression today costs money.

Senator MUNDT. It is pretty difficult for me to square any system of compulsory contributions to campaigns with a concept of democratic processes in the labor unions.

Mr. HOFFA. Of course, Senator, you understand when we talk about donations of money, we are not talking about Federal elective jobs. You understand that.

Senator MUNDT. I understand that. We are talking about the Governor of New Mexico, and that is purely a hypothetical case.

Mr. HOFFA. I understand.

Senator MUNDT. But we are talking about money which is collected from union members by compulsion. They have no choice. If they belong to the union they pay the dues, do they not?

Mr. HOFFA. Senator, that isn't true. There isn't a member belonging to a union today that if a majority of the people in that particular plant or particular truck company decides they do not want the union that they are represented by, they can use the Taft-Hartley law which you gentlemen passed, some of you——

Senator MUNDT. Are you in favor of that law?

Mr. HOFFA. Some of you passed, to be able to go to the board and either decertify, without losing the benefit of the union but decertify the actual union shop, but maintain their representation, or, if they desire, they can go about having a decertification of the entire representation.

Senator MUNDT. Mr. Hoffa, that has nothing to do with compulsion. Your income tax and mine to the Federal Government is none the less compulsory because the majority of the people or the majority of the

Congress votes it in. It is a compulsory payment. I question the democracy of using compulsory payments in political campaigns where union members have to contribute money to causes and to candidates whom they might prefer to oppose.

Mr. HOFFA. I would be willing to debate the issue with you, Senator, in front of any group of union men in this country, and let them make the decision.

Senator MUNDT. We have a wonderful place right here in front of the union men and the rest of the public and they are also interested.

Mr. HOFFA. Except the fact that they can't vote here. I have a meeting of my local union in September, three of them, which I will invite anybody that wants to come to the membership meetings, and I will arrange for special notices to be posted to discuss this problem and be advised in the future by the vote of the members who attend those meetings.

Senator IVES. Mr. Chairman?

The CHAIRMAN. Senator IVES.

Senator IVES. I am just curious Mr. Hoffa, in this connection: First, as to how many members attend your union meetings when these matters are approved. You have 199 and 237. Those are the two unions with which you are specially connected, are they not?

Mr. HOFFA. No, sir. 299, that is my particular local.

Senator IVES. How large is the membership of 299?

Mr. HOFFA. I believe we average about 14,000 members.

Senator IVES. 14,000?

Mr. HOFFA. Yes, sir.

Senator IVES. And 237, what is that?

Mr. HOFFA. Somewhere between 8 and 10. I am not sure. 337.

Senator IVES. I assume that your activities in this connection are approved by your members. That is, you give us that idea from what you say.

Mr. HOFFA. That is right.

Senator IVES. How do they approve it? Do you have regular meetings that approve it?

Mr. HOFFA. Yes, sir. We have three meetings a month of the divisions I outlined yesterday.

Senator IVES. How many attend each meeting?

Mr. HOFFA. I would say generally in my city cartage group I would have from 100 to 500. I would say in the roadway meeting I would have a similar amount. I would say in the car-haul division of my local union that I am president of, we would have anywhere from 25 to whatever number wanted to appear. But I want to say this to you, Senator, that you must recognize the fact that we have stewards and committeemen in each company. Those stewards and committeemen make up the bulk of the meeting. When they make an expression in that meeting, they are expressing, in my humble opinion, the reaction of the members that are on the docks, driving the trucks, that they are in personal daily contact with.

Senator IVES. I understand your problem there with the teamsters, because you are on the road a good deal of the time, and it is hard for some of them to get to the meetings. I can realize that. You see what I am driving at, do you not?

Mr. HOFFA. Yes, sir; I do.

Senator Ives. It is one of our big problems with which we are faced in labor relations, the matter of getting people to attend meetings, members of the union. What you have indicated here indicates that only a small percentage get to your meeting.

Mr. Hoffa. That is correct, sir.

Senator Ives. You admit that. And yet you think that small percentage represents the attitudes of the whole, if your stewards are reporting correctly, they probably do. What happens when the stewards do not report correctly? What can the members do?

Mr. Hoffa. I will give you the best answer in the world. You take something to the floor where there are 500 members and you get it passed, and you let it get out on the street for the next 30 days what happened in that meeting, and nothing remains secret in a meeting—I think you are well aware of that.

Senator Ives. I am aware of that.

Mr. Hoffa. And I assure you at the next meeting you better have the auditorium, because they will all be there to correct what you did at the next meeting.

Senator Ives. Have you ever had that happen?

Mr. Hoffa. No, sir, because I have never abused my authority.

Senator Ives. I am not talking about that. I am talking about the teamsters generally.

Mr. Hoffa. Yes, sir, I saw it happen.

Senator Ives. You have? What happened?

Mr. Hoffa. I attended a meeting some months ago where a local union was placed in trusteeship, and prior to the placing of the local in trusteeship there was a considerable amount of disturbance in the local union. Rumor got out on the street that the local union—rather, that the trustee was going to do certain things in the local union in the way of changing administration which didn't please the members.

Word came to my office, and I attended a meeting.

I assure you that we had to have the Keil Auditorium in St. Louis to accommodate the people who came to that meeting.

Senator Ives. How many members were there in that particular union?

Mr. Hoffa. I think they must have roughly six or seven thousand members.

Senator Ives. And the auditorium would hold that many?

Mr. Hoffa. It would hold more than that.

Senator Ives. I am much interested in that to know that they can finally express themselves, because that is one of the great problems with which we are faced.

The next thing I want to ask you is this: You seem to be very interested, your particular conference, your joint council out there, about what happens in the rest of the country.

Mr. Hoffa. That is right, sir.

Senator Ives. What happens if all of the rest of the conferences and councils got interested in what happened in the rest of the country? Would you not be tangling with each other? Are you not the only one who is interested in what happens in the east? Who is? The Far West, the Pacific coast councils, are they interested in what happens on the Atlantic coast?

Mr. HOFFA. Senator, it so happens I have put 25 years of my life in this international union and I am 44 years old. I don't propose, whether I am the only one or not, I don't propose to shirk my responsibility to my members or to the officers I represent in the central conference, even though I am getting undue publicity for doing it, for going into areas trying to convert them into our thinking and our new way of operating unions in regards to the necessity of coordinated action. Even though I am severely criticized, and that is one of the reasons I am here today, I will continue to do it as long as I am a member of organized labor.

Senator IVES. Let me point this out in all fairness to you, Mr. Hoffa. After all is said and done, you are only a part of the international, and I assume your parent body, the international itself, will decide whether you are doing the right thing or not and can stop you if you are not, can it not?

Mr. HOFFA. I have had some pretty serious tangles over what I do—

Senator IVES. Has not the international the authority to stop you?

Mr. HOFFA. They have the authority to stop me, but I think in every instance I have been able to present my side of the story with a sufficient number of officers who believe as I believe, that we have been able to convince the officials of our international union to the philosophy of having organizational coordinated effort rather than individualized effort of local unions.

Senator IVES. Then you have had the consent of the international in this thing?

Mr. HOFFA. Yes, sir.

Senator IVES. And you probably are doing this thing with the consent of the other joint conferences?

Mr. HOFFA. In every instance.

Senator IVES. All right. That is all I want to know.

Mr. HOFFA. In every instance, sir.

The CHAIRMAN. Senator Goldwater.

Senator GOLDWATER. Mr. Hoffa, do you invest moneys in Federal elections?

Mr. HOFFA. Do I invest moneys?

Senator GOLDWATER. For the union?

Mr. HOFFA. No, sir.

Senator GOLDWATER. You mentioned to Senator Mundt that you do put moneys into local elections, such as gubernatorial elections?

Mr. HOFFA. Yes, sir.

Senator GOLDWATER. Could you tell us some of the States in which you have put money in the last election?

Mr. HOFFA. I believe in Iowa—

Senator GOLDWATER. Do you remember how much?

Mr. HOFFA. No, sir; I don't. I think that was submitted, I think, by Gibbons.

Was it not, Mr. Kennedy?

Mr. KENNEDY. I don't know. I don't remember it.

Senator GOLDWATER. What other States?

Mr. HOFFA. Michigan. There was some money spent in Kansas. I don't know for what particular office. Well, I can't tell you all.

Senator GOLDWATER. How about New York?

Mr. HOFFA. No.

Senator GOLDWATER. Pennsylvania?

Mr. HOFFA. No.

Senator GOLDWATER. Ohio?

Mr. HOFFA. Excuse me.

(The witness conferred with his counsel.)

Mr. HOFFA. And Kentucky. I am informed Kentucky.

Senator GOLDWATER. But not in Pennsylvania, Ohio—

Mr. HOFFA. No. Primarily I stay in my own district in regards to the question of politics.

Senator GOLDWATER. Do you ever get out in the Far West?

Mr. HOFFA. No, I do not, sir.

Senator GOLDWATER. How about the attempt last year to pass the right-to-work law in the State of Washington. Did your organization put any money against that?

Mr. HOFFA. Not our particular organization, I do not believe so.

Senator GOLDWATER. We know that some of the teamsters organizations did. I wondered if your particular group did.

Mr. HOFFA. I don't think so, sir. I don't recall it.

Senator GOLDWATER. Were the reasons for investing or putting money into these gubernatorial contests that you mentioned here solely ones based on your thoughts that they might be against your union or against trucking?

Mr. HOFFA. Well, we are advised by our local representatives as to their local situation, and when they advise us as to the local situation, if they need money in that area we believe it is our responsibility to raise the money to assist them where they require assistance.

Senator GOLDWATER. Do you always work through the locals?

Mr. HOFFA. Yes, sir. Or the joint council, which is comprised of the locals.

Senator GOLDWATER. I ask you that because if my memory serves me correctly, the teamsters local in my hometown denied any knowledge of a Far West contribution to a certain campaign in my State.

Mr. HOFFA. I couldn't tell you, sir.

Senator GOLDWATER. But you, yourself, always work through the locals?

Mr. HOFFA. I have to work through the locals. Otherwise you lose control of the situation.

Senator GOLDWATER. And these are the only States that you can remember, Iowa—

Mr. HOFFA. Offhand; yes, sir.

Senator GOLDWATER. And Kansas. Have you supplied a list to the staff?

Mr. HOFFA. No, sir. I think that Harold Gibbons of the central conference is either supplying a list or making one up, I am not certain. But there is something going on in that way right this moment, I believe.

Senator GOLDWATER. Is that correct, Mr. Counsel?

Mr. KENNEDY. I am not aware. He is supplying some information, and I don't know if that is one or not.

Senator GOLDWATER. In case he does not supply that, would you make sure that he does supply it, with the amounts?

Mr. HOFFA. If he is listening, I assume he will. And I will see to it; yes, sir.

Senator KENNEDY. In the case of the \$5,000, Mr. Hoffa, you took \$5,000 from the Michigan local and spent it in a Philadelphia or Pittsburgh local?

Mr. HOFFA. Philadelphia, sir, from the Michigan conference.

Senator KENNEDY. Was that in a contest between two people in the local union for president?

Mr. HOFFA. That is correct, sir.

Senator KENNEDY. You stated about the Democratic National Committee and Republican National Committee. I never heard of the national committee giving money to one candidate in a Democratic or Republican primary.

Mr. HOFFA. Possibly so.

Senator KENNEDY. It would not be so. They are supposed to be neutral in their party structure. I do not really see what business it is of yours, to accurate about it, what business it is of yours who is selected president among two members of the teamsters union in a local in Philadelphia. Why is it your business?

You use union funds to influence the choice of two teamster union members in an election for president. What is the theory behind that?

Mr. HOFFA. The theory is very simple. One of self-preservation for the members of a local union that has interstate business concerning the local union that you are assisting.

Senator KENNEDY. Do you feel that as a general principle, whenever in your judgment it is in the best interest of the teamsters, that it is proper for you to spend union funds to influence the election in any teamster local in the country?

Mr. HOFFA. Not my personal say-so. But after I have consulted the responsible people, and if they agree, then I do believe that we have a right to take a position of presenting, of being able to present, views to members who ultimately will make their own decision.

Senator KENNEDY. You stated that your own local has over a million dollars in the treasury?

Mr. HOFFA. Yes, sir.

Senator KENNEDY. Therefore, you have this large amount of money belonging to your local, and it is only one of the locals in which you have strong influence, and you believe that it is proper any time there is an election in any local in the country, when you and what you call the responsible people, which may be your definition of them, whenever you feel that you get their agreement, you then feel it is possible to spend this money to influence the election between two teamsters in any local in the country? Is that your opinion, Mr. Hoffa?

Mr. HOFFA. Senator, we don't influence the individual member. We try to give the individual candidate sufficient help in advising the members of why he is the potential best candidate. I may say that in this instance, Senator, the man who won the election turned out to be a better man for the members than the man that we supported. And I don't mind admitting it.

Senator KENNEDY. I understand the man is under investigation by the committee.

I am not so concerned about the actual details. I am just talking about A and B and your theory of responsibility. You are a rising figure in the teamster movement. I am just interested in your sense

of what is proper and what is improper. We have heard your judgment. We have seen some of the records of the action which you have been interested in, business dealings with people who are employers in the trucking industry, and we have seen a business relationship between Mr. Dorfman, who has a major position and gets great benefits from the union welfare and pension plans. We have seen a good many of these in the last 2 days.

Now we see another place where you feel that it is proper for you, when you make your judgment, and you help what you consider to be positive people—and I think we will see today some of the people you have been in consultation with before—that you feel it is proper that you should spend money of the teamsters union to influence the election of a local in another State.

I just feel that that attitude of concentration of power in your hands, Mr. Hoffa, which it inevitably would lead to, is not in the best interest of the teamsters union or the public.

Mr. HOFFA. I will be perfectly willing to leave to the members, who are the individuals who originally were responsible for accumulating this money, to make that decision, Senator.

I will venture to say that those members realizing that what can happen in Philadelphia today can affect Detroit tomorrow, will be the first ones to agree that it is necessary for such an operation.

Senator KENNEDY. Mr. Hoffa, at the present time you are the trustee of how many locals?

(The witness conferred with his counsel.)

Mr. HOFFA. Probably 16. I am so advised.

Senator KENNEDY. Sixteen or seventeen?

Mr. HOFFA. I am so advised.

Senator KENNEDY. You are so advised? You don't know yourself?

Mr. HOFFA. I have them here if you would like me to read them.

Senator KENNEDY. I would like to know how many locals you are the trustee of.

Mr. HOFFA. I have the list here.

Senator KENNEDY. I have the list, too. How often do you visit them?

Mr. HOFFA. I have it here.

Senator KENNEDY. I have it. How often do you visit them?

Mr. HOFFA. I certainly can only be in one place at a time, and when I am appointed the trustee by the international union, I make it my business to appoint an executive board.

When the necessity arises to consult with that board, I consult with it, regardless of how often it may be necessary.

Or, in many instances where we have a State chairman, I request that the State chairman, who is the closest person to the situation in his State, watch over the local union and report to me, and when he deems it advisable I then will consult with the representatives of those locals in trusteeship.

Senator KENNEDY. Mr. Hoffa, we have had some figures which show that about 12 percent of all of the locals of the teamsters are under trusteeship. We had a witness from the western conference, who I think was the business agent put in by Mr. Beck, who didn't know why the local was in trusteeship, and who didn't know what procedure should be followed to take the local out of trusteeship.

What is your opinion, first, as to what the time limitation should be on the trusteeship?

What are the procedures of getting out of trusteeship?

Mr. HOFFA. Each 6 months after a local union has been placed in trusteeship, it has a right, under section 6 (a) to file a petition with the general president for the right of restoration of local autonomy.

Senator KENNEDY. When was the last time when any of the locals under your control filed any such petition?

Mr. HOFFA. Maybe 2 or 3 years ago, I believe.

Senator KENNEDY. Here are 16 locals which have the opportunity every 6 months. You have stated that none of them have filed such a petition in the last 2 or 3 years.

Mr. HOFFA. I think that indicates that they are satisfied with the trusteeship, sir.

Senator KENNEDY. It could indicate that or it could indicate that your control is rather complete in those locals. Do you feel it is a satisfactory procedure to have 16 locals, to have more than a hundred locals of the teamsters in general, under trusteeship, some for a period of 10 years?

Mr. HOFFA. Well, let's correct the record for Hoffa, will you?

Senator KENNEDY. Yes.

Mr. HOFFA. I have some four-hundred-odd local unions that I am accounted for, and if 16 local unions out of some four-hundred-odd local unions—and these are the smallest local unions in the area—are under trusteeship, I think that it is an indication that we do not use our authority just to control local unions, but rather to preserve the membership status of these local unions.

Senator KENNEDY. How many local unions are there in the teamsters? Eight-hundred-odd?

Mr. HOFFA. Eight-hundred-odd; yes, sir.

Senator KENNEDY. How many are in trusteeship over the country?

Mr. HOFFA. I only know and can speak of of my own division.

Senator KENNEDY. You are talking about your responsibility for one-half of all the locals in the country. You must have some idea of how many in the country are in trusteeship.

Mr. HOFFA. I haven't made it my business to determine the number of local unions in the conferences other than mine that I have responsibility for.

Senator KENNEDY. Out of the 400 that you have responsibility for, and I am not talking about those under your personal trusteeship, but those under trusteeship.

Mr. HOFFA. Well, if you don't hold me to a figure, I will give you a guess.

Senator KENNEDY. What is your guess?

Mr. HOFFA. I would say probably 20 or 22.

Senator KENNEDY. In other words, out of the other 400 comes the remaining 80 that are in trusteeship?

Mr. HOFFA. I would think so, sir.

Senator KENNEDY. That is your judgment?

Mr. HOFFA. Yes, sir.

Senator KENNEDY. Let's take the trusteeship which you have—

Mr. KENNEDY. How many did you say were under trusteeship in the central conference?

Mr. HOFFA. I believe 20 or 22. Don't hold me accountable for it. I only have the ones that I am trustee over and you are asking me to guess.

Mr. KENNEDY. You don't know how many locals under the Central Conference of Teamsters are under trusteeship? Your guess is 20?

Mr. HOFFA. 20 or 22. I can certainly find out this afternoon very easily exactly how many there are in the international records if you desire.

Mr. KENNEDY. Mr. Gibbons, do you know how many locals he is trustee of?

Mr. HOFFA. Offhand I wouldn't try to guess, because I had to compile my own list.

Mr. KENNEDY. Between you and Mr. Gibbons you get over 20. He is trustee of about 7 locals.

You don't know that about the central conference of teamsters?

Mr. HOFFA. I know the central conference of teamsters' structure, and I also know that the information that I was required to prepare is here. If you want additional information, I will be happy to secure the information so I can properly answer you rather than make it look as though I don't understand what is going on in the central conference, because I don't think there is anybody better acquainted with what is going on in the central conference than I am.

Senator KENNEDY. Mr. Hoffa, let's take the Joplin local that you are the trustee for.

Mr. HOFFA. The Joplin local union is not in trusteeship, sir. It has been returned to its own status.

Senator KENNEDY. When was it in trusteeship?

Mr. HOFFA. I think it was in trusteeship up until last year. I personally went down and conducted the nominations. When I couldn't get back for the election, I had somebody else go in and conduct the election.

(At this point Senator McNamara entered the hearing room.)

Senator KENNEDY. Was Floyd Webb a trustee?

Mr. HOFFA. Yes, sir—no, Floyd Webb was not a trustee. I was a trustee.

Senator KENNEDY. He is listed here as a trustee.

Mr. HOFFA. No. I was a trustee of that local union.

Senator KENNEDY. Who was Floyd Webb?

Mr. HOFFA. Floyd Webb was an officer appointed by myself as a trustee.

Senator KENNEDY. I understand.

Mr. HOFFA. He probably was listed there, Senator Kennedy, for purposes of mail as such.

Senator KENNEDY. He was appointed by you as trustee?

Mr. HOFFA. Yes, sir.

Senator KENNEDY. Had he been president of the union before?

Mr. HOFFA. Yes, sir.

Senator KENNEDY. Why was he thrown out as president, or removed?

Mr. HOFFA. There was quite a ruckus in the local union. A faction developed in the local union. That faction that developed in the local union, in the decision of the majority of those individuals who attended a meeting which I attended, decided the local union ought

to be in trusteeship until it was adjusted. At the same time, there was some turmoil going on in the union in regards to an investigation of Webb. Webb, also, was being charged with some incidents that took place, I believe, in Oklahoma, which were later on dropped, and Mr. Webb, despite the propaganda that was put out against him, is the respectable citizen in the city today, and was elected by unanimous action of the members of that local union.

So if there is something wrong with that, I will accept the responsibility.

Senator KENNEDY. Wasn't the difficulty that he was under the purchasing of personal goods out of union funds? Isn't that what the ruckus was about?

Mr. HOFFA. I may say that that was corrected, and the record will show that that was untrue, sir.

Senator KENNEDY. And then when the ruckus began over his spending union funds for his own use, and you came down as trustee, you then named him as trustee?

Mr. HOFFA. I don't think so. I named myself—I was trustee, and I am quite sure that Webb was only the person who received the mail as an officer. He was never trustee.

Senator KENNEDY. He was named by you to run the union?

Mr. HOFFA. That is correct, sir.

Senator KENNEDY. After these charges had been made; is that correct?

Mr. HOFFA. Yes.

Senator KENNEDY. What about the Pontiac local?

Mr. HOFFA. That is a peculiar one, and I will take the responsibility for that if there is any.

Senator KENNEDY. Isn't it the fact that two of the officers, Keating and Louis Linteau, were convicted?

Mr. HOFFA. That is correct.

Senator KENNEDY. And then the local was in trusteeship?

Mr. HOFFA. That is correct.

Senator KENNEDY. Then who did you name to be in charge of the local?

Mr. HOFFA. Leon Harrelson was made president, a former State legislator, who was a member of the teamsters union.

Senator KENNEDY. Were Keating and Linteau named to any position?

Mr. HOFFA. For the time being, until their trial, as business agents.

Senator KENNEDY. After they were indicted, and by you; is that correct?

Mr. HOFFA. After they were indicted; yes.

Senator KENNEDY. They were named by you as business agents. They were convicted then, weren't they?

Mr. HOFFA. Yes, sir.

Senator KENNEDY. Do you feel that was a good judgment on your part to name two men under indictment?

Mr. HOFFA. Senator, I don't believe that an indictment is a question of conviction, and I do not believe it was my responsibility to remove them to have the public generated to believing they were guilty prior to trial.

Senator KENNEDY. They were under indictment for extortion and were found guilty; is that correct?

Mr. HOFFA. No, sir, they were not found guilty for extortion.

Senator KENNEDY. What were they found guilty of?

Mr. HOFFA. I will have to find out. Just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. I understand from my attorney they were convicted—they plead guilty to a conspiracy to violate the commercial bribery statute in Michigan.

Senator KENNEDY. Well, then, bribery instead of extortion.

(The witness conferred with his counsel.)

Senator KENNEDY. In other words, then, we had a case of trusteeship of a union where two of the officers were indicted for bribery, and the union went into trusteeship. You became the trustee and you named the two men under indictment for bribery as business agents and they were later convicted?

Mr. HOFFA. You are right. I knew they were indicted at the time.

Senator KENNEDY. What did you say?

Mr. HOFFA. I knew they were indicted at the time when they were awaiting trial.

Senator KENNEDY. You didn't suspend them as officers?

Mr. HOFFA. I suspended them as officers; yes, sir.

Senator KENNEDY. You named them as business agents?

Mr. HOFFA. That is right, without authority to make decisions.

Senator KENNEDY. Who paid their legal fees, et cetera?

(The witness conferred with his counsel.)

Mr. HOFFA. I think the joint council.

Senator KENNEDY. I just have one more local.

Mr. HOFFA. Let's get back to that 814, if you please, and let's find out something.

The implication is left, apparently, that there is something peculiar about it. I would like to give you just one figure, if I may, sir.

When the local union was taken over—just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. When the local union was taken over, it had \$17,486.43 in the bank. Today, under administratorship, it has \$233,279.79. It had at that time that it was taken over, approximately 1,200 to 1,500 members regularly paying dues. Today the town is entirely organized, and the membership, to the best of my knowledge, and there have been meetings called since your representatives were in the area, are satisfied that the local union shall remain in trusteeship. They have been advised, both in the press and in the meetings, any time they want to file a petition for restoration of their right of local autonomy they are able to do so and will receive consideration.

I invited the press into a meeting, and the big glaring headlines came out, I invited the press to attend the meeting and listen to what the expression of the membership was in this trusteeship, and I believe that when the press left, and they so stated, that the members were satisfied with the operation of the local union.

Senator MUNDT. Will the Senator yield on that point?

Senator KENNEDY. Yes.

Senator MUNDT. You made a great deal, Mr. Hoffa, of the point that the unions in trusteeship can file a petition. Straighten me out on that. I mean, filing a petition is one thing. It is not necessarily a mandate on the general president so that he has to grant the petition. They can file it and he can turn it down; is that correct?

Mr. HOFFA. You are correct, sir.

Senator MUNDT. I wanted to get that straight.

Mr. HOFFA. I want to say to you that we are changing our constitution on my recommendation to our caucus committee. I will be very happy to read it to you. I think it will solve a lot of problems in your mind concerning trusteeship. It would take a minute to do so, if you would like for me to do so.

Senator MUNDT. We have a minute. Go ahead. We have had a lot of complaints about trusteeship, and one of the complaints is that they can file a petition from now until the cow jumps over the moon, and the president can say "nyet, nyet," and nothing happens.

Senator KENNEDY. As I understand, this is a proposal that you are putting forward?

Mr. HOFFA. It is a suggestion of our caucus.

I will be very happy to supply you with a copy also, if you want it. I will give each Senator a copy.

(The witness conferred with his counsel.)

Mr. HOFFA. On page 3 of our suggested change, we say in No. 3: Trusteeship shall be granted only after a hearing—today they are granted without a hearing—except in the case of threat of cessation, and shall be limited to 2 years' duration.

Senator KENNEDY. How many?

Mr. HOFFA. Two years, sir. [Reading:]

Unless the board, after adequate review on the basis of a written memorandum of reasons determines on continuation.

Now there is more verbiage to this than appears here, because—this is just a draft for our membership—we are saying that we believe that before you put a local into trusteeship, there should be a meeting to determine the necessity of trusteeship, not just by an individual but those who are interested. We believe that they should have these 6 months to file a petition, and if the petition is rejected, the rights to appear in front of the executive board and have a written explanation as to why it is rejected.

Senator KENNEDY. I think those are improvements. I am glad to see that these improvements are being made. We discussed two of them yesterday. One was the conflict of interest. You stated you were disposing of your stocks and bonds.

Mr. HOFFA. I didn't say that. I said I was disposing of my businesses.

Senator KENNEDY. And the other was the question of the propriety of Mr. Dorfman continuing his intimate association with your welfare and pension plan. You informed us that after next year he will not have that.

Mr. HOFFA. No, sir, I didn't say that. I want to correct the record. I said that he will not have a license to be able to operate, and I assume that there will be a new representative for the insurance company.

Senator KENNEDY. Now we are talking about trusteeship. The last local that I want to discuss with you is local 71, down in Charlotte, N. C., Mr. A. L. Gunnert.

Mr. HOFFA. In that particular instance, that is under the eastern conference, and I couldn't give you any answers other than the fact

that I know the individual you are talking about. The particulars I don't know.

Senator KENNEDY. Did you go down there?

Mr. HOFFA. To negotiate a contract only, sir.

Senator KENNEDY. You had nothing to do with placing it under trusteeship?

Mr. HOFFA. No, sir.

Senator KENNEDY. I am glad to hear of this improvement. I think this question of trusteeship has been one of the major problems in the teamsters, keeping locals in trusteeship year after year without any definite procedure for getting them out of trusteeship, some, as I say, going on for more than 10 years, and being able to vote them, nevertheless, in elections, vote their members.

I think it gives excessive control to the leadership of the teamsters, and, therefore, I am hopeful that the procedure which you have suggested will be adopted.

Mr. HOFFA. I believe our convention delegates will unanimously adopt it, because it affects each and every local union.

Senator KENNEDY. The only other point is, Mr. Hoffa, that I think you said there were somewhere around 20 locals in the central conference under trusteeship?

Mr. HOFFA. Twenty or twenty-two, I think.

Senator KENNEDY. The figures we have shows there are 37.

Mr. HOFFA. There are quite a few that have been taken out, sir. I don't know when your list was compiled.

Senator KENNEDY. These are the latest figures.

Mr. HOFFA. I don't want to take the time of your committee, but if you will give me your list, I will give you an answer as to whether it is correct and tell you what happened to those.

The CHAIRMAN. Senator Mundt.

Senator MUNDT. Do you have a local union under trusteeship in Peoria, Ill?

Mr. HOFFA. I will tell you in a moment.

(Members of the select committee present at this point in the proceedings: Senators McClellan, Ives, Kennery, McNamara, Mundt, and Goldwater.)

Mr. HOFFA. No. The local union appearing in the book on page 55 is local union 627. Mr. W. V. Hughes is stated here as a representative. Unless it has been of recent duration since this book was published, it would not be in trusteeship.

Senator MUNDT. How long ago was the book published?

Mr. HOFFA. In April 1957. I can check it and let you know, but I have to go by the book otherwise.

Senator MUNDT. I have had a lot of correspondence from union members in Peoria, Ill., about a union in trusteeship. I am not positive that it is a teamsters union.

Mr. HOFFA. Just a moment. Now that you say that you did, I can recollect the fact that it is in trusteeship, and Mr. John T. O'Brien, a vice president out of Chicago, I am quite sure is the trustee.

Senator MUNDT. In Peoria?

Mr. HOFFA. Yes, sir, I think it is. I think it is of recent date, though.

Mr. KENNEDY. I think that is Peru, Ill.; isn't it?

Mr. HOFFA. No, I think it is both. Peru, Ill. I think it is both.

Senator MUNDT. Do you know the circumstances of that trusteeship?

Mr. HOFFA. Not enough to talk about it; no, sir.

The CHAIRMAN. If we may get back a moment to the question of some of these securities, I have received information, since I interrogated you a while ago, to the effect that McLean Industries own the McLean Trucking Co.

Is that correct?

Mr. HOFFA. Senator, I don't want to dispute what you collect as information, but my recollection is that the ICC had a hearing and they directed that the 2—the waterway and the land transportation—be separated into 2 separate and distinct operations.

The CHAIRMAN. This information says that McLean Industries own the McLean Trucking Co.

Mr. HOFFA. That could possibly happen, but I think, as I said before, Pan-Atlantic now is the question of the waterway, sir.

The CHAIRMAN. And they also point out that this information is in the files of the ICC from some hearing that was held there.

Mr. HOFFA. I will check it. I think that is incorrect, sir, but it is easy to find out.

The CHAIRMAN. I want to ask you one other question.

You have been interrogated some about locals and trusteeship.

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Is local 332, Flint, Mich., in trusteeship?

Mr. HOFFA. No, sir.

The CHAIRMAN. I have a telegram here. I will read the substance of it and let you comment on it. It says:

I wish to inform you that a large number of local teamster unions in this area are being denied their right to send elected delegates to the International Teamsters Convention in Milwaukee.

The telegram is dated August 21, 1957. Do you wish to comment on it?

Mr. HOFFA. I will this afternoon after I talk to Claude Sutton, who is secretary-treasurer, or the president, Jack Thompson.

The CHAIRMAN. He says a large number of locals. I don't know how many. That is under your jurisdiction up there, is it not?

Mr. HOFFA. As I say, I have no comment to make, sir, until I check it, but I will be happy to check the details and let you know.

The CHAIRMAN. I have other such telegrams as this one that just came in awhile ago.

Mr. HOFFA. You understand there are two ways of having delegates go to the convention under our constitution.

The CHAIRMAN. How are they elected when they are under trusteeship?

Mr. HOFFA. The same as when they have local autonomy, either by the membership granting the board the right to appoint or the membership having an election. They have that right.

The CHAIRMAN. Do the trustees appoint the delegates?

Mr. HOFFA. If the membership approves; yes, sir.

The CHAIRMAN. So where you are trustee in 16 locals or 17 locals, if you could get the approval of the membership through some way, you can appoint the delegates to the convention?

Mr. HOFFA. Well, sir, it has been my experience that if you can get the membership to approve the appointment, you can get them to

also elect the delegates that are the best qualified to go to the convention.

(At this point Senator Kennedy withdrew from the hearing room.)

The CHAIRMAN. The question is about control of the elections.

Mr. HOFFA. I understand.

The CHAIRMAN. We have had a little testimony around here about that, and the question arose in my mind over this number of trusteeships. As I remember, we have had testimony in the past to the effect that where they were in trusteeship, there was no election, and just as all the other officers they were appointed by the trustees.

Mr. HOFFA. Officers are appointed, sir.

The CHAIRMAN. Yes, and the delegates are also appointed by the trustee.

Mr. HOFFA. It could happen, if they had approval of the membership; yes, sir.

The CHAIRMAN. What do you mean by "approval of the membership"? How do they approve?

Mr. HOFFA. Those who attend a meeting.

The CHAIRMAN. A minority of the membership might approve?

Mr. HOFFA. Whoever attends the meeting. Just like Congress, if there are only a few on the floor and a bill is passed, that becomes the bill.

The CHAIRMAN. Anyone can raise an objection to it in Congress and have a quorum call, and no action can take place until a quorum is present.

Mr. HOFFA. If they pass bylaws in our local union, they can do the same thing, sir. But the bylaws control the question of operation of the union.

The CHAIRMAN. Just a moment. Let us see if that is correct. I do not think I misunderstood you.

In other words, in a local union if they get there and there is not a majority of the membership present, anyone can raise an objection that they will not transact business until the membership is there?

Mr. HOFFA. I said they can pass bylaws setting up the number of members to be present if they wish to do so.

Senator IVES. You have no process by which you can force a majority of your members to be present, have you?

Mr. HOFFA. I didn't say that.

Senator IVES. I know you did not. That is the question I am raising. You have no means by which you can get them to be present.

Mr. HOFFA. You took it away from us.

Senator IVES. What do you mean by that?

Mr. HOFFA. When you passed the Taft-Hartley law, you made it prohibitive to place into effect the mandatory appearance at meetings every so often and the only way you can have a mandatory appearance at meetings would be by a fine or suspension.

Senator IVES. There is nothing in the Taft-Hartley Act regarding the matter that I know of. Would you like to have that put back in the law?

Mr. HOFFA. There was never a law, to my knowledge, sir.

Senator IVES. All right. I didn't know there was either.

Mr. HOFFA. Except the fact, sir, that under the Taft-Hartley law, if a man refused to attend a special called meeting or a regular meet-

ing at any period of time, whether it be once each 3 months, once each 6 months, or once a year, there is nothing a union could do about it to-day except expel a man from the union after filing charges against him and having a hearing and that same individual could still work on the job and refuse to attend or go along with the majority.

Senator IVES. I am not arguing with you about that. I understand there is no way by the law that you can get anybody to attend meetings. I am asking if there is any way you can get them to attend.

Mr. HOFFA. When you have a contract, Senator, that affects their economic life for a given period of time, you don't have to make them come to a meeting. They voluntarily come.

But after they have voted on the contract which they have a right to have a copy of, they, themselves, reserve the right whether or not to come to the union meetings, and generally when they come, if they have a dispute or they are dissatisfied, they do come.

Senator IVES. I understand all that, and I understand the situation regarding contracts. What we are talking about, however, was the election of delegates in your international convention.

Mr. HOFFA. I answered it, sir.

Senator IVES. You have no way that you can get a majority of your members to go to a meeting of that kind, that I know of, is that right?

Mr. HOFFA. I understand, sir, that you had Tom Hickey here recently testifying.

Their local union run a referendum vote amongst all of the members for the delegates to attend the convention. Less than a majority of their total members, even though they all received ballots, responded to who they were desirous of sending to the convention.

Senator IVES. But they did not have this happen at the meetings?

Mr. HOFFA. No, they had nominations at the meeting, sir, and then the nominations were printed and sent to each individual member.

Senator IVES. That is what I mean. That is what I am talking about.

The CHAIRMAN. Senator McNamara?

Senator McNAMARA. I would like to ask the witness this question: Is it not a fact that the local unions generally decide the minimum number required to hold a meeting?

Mr. HOFFA. I say they have that right; yes.

Senator McNAMARA. Do they not generally do it? Is it not the established procedure in the bylaws that it requires a certain number to be present?

Mr. HOFFA. Seven members is a quorum.

Senator McNAMARA. It varies in various unions?

Mr. HOFFA. As I said, they could make their own rules.

Senator McNAMARA. So they have the machinery to raise it to a majority or a third, the machinery is established, so there is no ban on the rank and file to do it.

It could be done, because they have control, they do establish these laws.

Mr. HOFFA. As I stated for the record, that is exactly right.

Senator McNAMARA. I simply want to repeat that this could be accomplished if it was the desire of the membership.

There has been some discussion on the large percentage of teamster locals in trusteeship in the area that you have charge of. Is it a large percentage or a small percentage?

Mr. HOFFA. Senator, there is a little difference between the committee's report and my understanding. I made the statement that I believe out of four hundred-odd local unions, there is roughly 22. They have a different figure. I personally, sir, have 17.

Senator McNAMARA. You have 17?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. And you apparently are setting up new machinery that will make it, shall we say, easier for the local unions to get out of trusteeship?

Mr. HOFFA. That is correct, sir.

Senator McNAMARA. You do not include in this new machinery a recommendation that the local unions should, by rank and file vote, express a desire?

Mr. HOFFA. Yes. They file another petition.

Senator McNAMARA. That would be more or less left to the local unions?

Mr. HOFFA. It will definitely be left to the local unions in regard to restoration of their autonomy.

Senator McNAMARA. We are talking in this committee with the main objective or main purpose of the committee being to see whether or not new legislation is required.

Do you agree that the most important level of the trade union movement is the one closest to the membership? In other words, the local union?

Mr. HOFFA. The local union is actually the membership. They can change the ground rules at any meeting they decide to change the ground rules and, if the officers don't like to accept their ground rules, they will change the officers. That is my experience.

Senator McNAMARA. So, as in Government, the most important is the citizens, actually, although they do not generally accept it so, the closest unit of government.

Mr. HOFFA. There is no question.

Senator McNAMARA. The county council in the city of Detroit is really more important to the citizen than the top.

Mr. HOFFA. That is where their expressions are viewed from the average man on the street.

Senator McNAMARA. Do you agree if we are looking to legislate that would be an important area, that we ought to give serious consideration to the closest unit, the local unit, to the membership?

Mr. HOFFA. I certainly do, sir.

The CHAIRMAN. Counsel, you may proceed.

Mr. KENNEDY. According to the figures from the international, there are 37 locals of the central conference of teamsters under trusteeship. The total number of members is 77,497. The total number in the locals under Harold Gibbons is 6,405. The total membership of the locals under Hoffa's trusteeship is 31,410.

The locals under Hoffa's trusteeship will send 44 delegates to the convention and the locals under Gibbons trusteeship will send 10 delegates to the convention.

Mr. HOFFA. I may say for the record, and I think you are aware of the fact, that the central conference has well over a half of a million members of this international union in it.

So, when you talk about 77,497 members, and you subtract that from

a half of a million members, you find that a very small minority of members are in trusteeships, regardless of the number of trusteeships.

The CHAIRMAN. If these figures are correct, I think it would be about 18 percent.

Mr. HOFFA. Roughly, sir.

Mr. KENNEDY. And these members have no right to vote for their officers. They are appointed by you, is that correct?

Mr. HOFFA. Under trusteeship, that is correct.

Mr. KENNEDY. That is what I am talking about, the locals under trusteeship. They have no right to nominate or vote for their officers. They are appointed by James Hoffa, the ones that are under your trusteeship.

Mr. HOFFA. Well, now, that isn't correct. I don't want to argue the point, but I want to clear the record. James Hoffa as James Hoffa can do nothing about appointing officers that isn't acceptable to the members of a local union.

I don't know if you ever attended a union meeting or not, but if you attend a union meeting of the truck drivers unions throughout this country, the smallest and the largest, you will find out you don't do business the way you think you do, because the membership wouldn't be in the teamsters union.

Mr. KENNEDY. The point is that you do appoint officers of these locals under your trusteeship, is that correct?

Mr. HOFFA. In some instances I do and in some instances I appoint them and have them approved by the membership.

Mr. KENNEDY. But you are the one that appoints them?

Mr. HOFFA. Yes. I have that right under the constitution. There must be some rules.

Mr. KENNEDY. That is all right.

We were talking about the situation in Philadelphia, and then I want to go back to the checks. Did you also take an interest in Philadelphia in getting a charter for the hotel and restaurant workers?

Mr. HOFFA. To a minor degree.

Mr. KENNEDY. You intervened in that in Philadelphia?

Mr. HOFFA. Well, what actually happens, so we will get the record clear, is that—

Mr. KENNEDY. What year is it?

Mr. HOFFA. It is either the latter part of 1955 or the first part of 1956. The latter part of 1956, isn't it? You must have it.

Mr. KENNEDY. I believe it is.

Mr. HOFFA. Somewhere between there.

Mr. KENNEDY. And Mr. Shorty Feldman or Mr. Samuel Feldman was looking for a charter.

Mr. HOFFA. No, sir; he wasn't.

Mr. KENNEDY. Do you know Mr. Samuel Feldman?

Mr. HOFFA. Just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. May I correct the record, Senator McClellan?

The CHAIRMAN. Surely.

Mr. HOFFA. Apparently, there is about 7 percent of the members in the central conference that the trusteeship locals would concern themselves with. Seven percent, not 17 percent.

The CHAIRMAN. I based my 18 percent on the basis of 77,000 out of 400-and-some thousand.

Mr. HOFFA. No, you said 77,000. Those figures are wrong. You said 77, didn't you Bob?

Mr. KENNEDY. I lost that paper.

Mr. HOFFA. I think we have to accept 77. I wrote it down.

The CHAIRMAN. 77,497?

Mr. HOFFA. I think you are right. That is what I put down.

The CHAIRMAN. My statement was premised on that figure. I said if that is correct, it would be roughly 18 percent.

Mr. HOFFA. I think you are right, sir.

The CHAIRMAN. All right.

Mr. HOFFA. Now, in regards to the question of 410—that is the local you are talking about?

Mr. KENNEDY. Yes.

Mr. HOFFA. Feldman was in my office concerning the question of jurisdiction.

Mr. KENNEDY. Did he have a charter at that time?

Mr. HOFFA. Pardon. May I explain to you?

Mr. KENNEDY. I want to make sure that I get all the facts so we understand.

Mr. HOFFA. I want to give them to you.

Mr. KENNEDY. But I want to be sure——

Mr. HOFFA. You go ahead.

Mr. KENNEDY. Did Feldman come to see you?

Mr. HOFFA. Yes, at my invitation.

Mr. KENNEDY. Did he have a charter at that time?

Mr. HOFFA. A teamsters charter.

Mr. KENNEDY. Was he attempting to get a hotel and restaurant workers?

Mr. HOFFA. No, he was not.

Mr. KENNEDY. Did he subsequently?

Mr. HOFFA. That is the point I am trying to tell you.

Mr. KENNEDY. Did he discuss it with you?

Mr. HOFFA. At my request.

Mr. KENNEDY. I am not asking that. Did he discuss it with you?

Mr. HOFFA. At my request he did.

Mr. KENNEDY. Did you agree that you would talk to somebody about trying to get him a hotel and restaurant workers charter?

Mr. HOFFA. I will explain to you what happened.

Mr. KENNEDY. Can you answer the question and then make any explanation?

Mr. HOFFA. You cannot answer the question yes or no. There is no yes-or-no answer to it. If you want the answer for your legislative purpose, I will give it to you.

Mr. KENNEDY. I want that.

Mr. HOFFA. All right.

The actual effect, to the best of my recollection, here is exactly what happened: Feldman was in my office at my request to discuss the question of jurisdiction between his local union and another local union in Philadelphia because it had become a problem for the international union.

When we finished our discussion, I asked him what was he interested in hotel and restaurant workers for and he gave me an answer that he wasn't particularly interested in it, but some people that he knew had formed an independent union.

I asked him why they were forming an independent union and he informed me that the reason they were forming an independent union was the fact that they could not get a charter. I told him I knew nothing about the facts, but if that was true, then I would call Ed Miller, inform him of the fact that Feldman was there, which I did, and Miller said if that was the problem, the next time their organizer was in the district—I think they call him the director of organization—was in the district, he would discuss the question with those individuals who had the independent union.

That is my sole part of the question of 410, to the best of my recollection.

Mr. KENNEDY. Mr. Feldman, as I understand it, spoke to you about getting a charter from someone else, for the hotel and restaurant workers?

Mr. HOFFA. After I inquired as to why he was interesting himself in it.

Mr. KENNEDY. He said he was interested in somebody else?

Mr. HOFFA. No, he did not.

Mr. KENNEDY. He said somebody else was interested?

Mr. HOFFA. He said that the people who had the independent charter only had the independent charter because they had no other way of establishing a union.

Mr. KENNEDY. In answer to your question of, "Why are you interested?" what did he say?

Mr. HOFFA. He said he was interested because he knew the people who were involved and it affected the teamsters whenever there were picket lines established.

Mr. KENNEDY. And he told you that he was not going to have any interest in this charter at all?

Mr. HOFFA. I didn't ask him.

Mr. KENNEDY. Did you understand that he was going to have an interest in that charter?

Mr. HOFFA. I assume he would not have an interest in the charter as such, but he knew those folks who would run it.

Mr. KENNEDY. Did he tell you who was going to run it for him?

Mr. HOFFA. I didn't ask him.

(At this point, Senator Curtis entered the hearing room.)

Mr. KENNEDY. According to the information and investigation that we have made, Mr. Feldman and Mr. Berg—a Mr. Berg up there, Abe Goldberg, I believe it is—established a union, got a restaurant and hotel workers union, a restaurant workers union charter up there, and it was through your intervention, and they put a Mr. Salvatore Barrone in as president, originally, but they actually ran it.

Mr. Feldman's record consists, starting back in 1924, of shoplifting; 1925, disorderly conduct; 1926, unlawful possession and transportation of intoxicating liquor; 1927—

Mr. FITZGERALD. If you will pardon me, Mr. Counsel.

Mr. KENNEDY. Wait until I finish.

Mr. FITZGERALD. If you read that, there is no need of my objecting.

The CHAIRMAN. The Chair will hear your objections.

Mr. FITZGERALD. My objection is to the pertinency of this particular question or statement, whatever it may be, I assume it is supposed to be a question, in view of the fact it has no pertinency to this particular inquiry.

All that it accomplishes is apparently a smear upon some individual who not now is directly concerned, and indirectly upon Mr. Hoffa. After it is all said and done, if there is a proper legislative purpose behind it, if there is relevancy here—I have sat by. I certainly don't want to interrupt the committee's time.

The CHAIRMAN. The only purpose of this testimony, from a legislative standpoint, would be the aspect that we are inquiring into about racketeering elements in labor unions, how they get in, how they are appointed, what arrangements are made for them, and whether it is done with knowledge of their background and their general criminal records, if there are some. That would be the purpose of it.

I have no doubt but that the Congress may want to consider dealing with the problem. I am not saying that they will deal with it, or how Congress will deal with it. I do not know.

But, from a legislative standpoint, I think the committee would be failing in its duty if it did not establish such facts that came to its knowledge, for the record, so that the Congress might weigh it.

Mr. KENNEDY. I might say, Mr. Chairman, that the situation in Philadelphia was that there were two hotel and restaurant workers unions at that time. This group was trying to get another local. The international at that time would not give them a charter. They then got in touch with Mr. Hoffa. Mr. Feldman had conversations with Mr. Hoffa and requested his assistance; that Mr. Hoffa discussed this matter with, I believe, some high official in the restaurant and hotel workers; that an official was sent from the headquarters of the restaurant and hotel workers union and met in Philadelphia, and this charter was granted; that the charter was granted; that the people that were running this local were Mr. Feldman, who had the original conversation with Mr. Hoffa. His record consists, as I was reading here, and I continue to read: 1928, highway robbery; 1928, murder and operating auto without owner or driver's license; 1928, robbery by holdup at point of gun; 1929, larceny of touring cars; 1929, robbery by holdup at point of gun; 1929, entering to steal, conspiracy, carrying burglary tools. He was thrown out of Atlantic City in 1932 as being undesirable; 1934, a disorderly person; 1934, suspicious character and parole violator; 1934, conspiracy to steal, larceny and unlawful possession and use of narcotics drugs; 1935, burglary, 4 years in Sing Sing Prison.

So he had rather an interesting record.

The CHAIRMAN. The point is, when you make a statement like that about someone, the question is, Mr. Hoffa, did you have that information? Did you know him to be that kind of a character?

Mr. HOFFA. I certainly did not. And there is nothing unusual, I may say, about that fact, because I imagine you had to gather the information before you knew it.

The CHAIRMAN. I did not say you knew. But I said it is proper to ask you that question.

Mr. HOFFA. I don't find any fault with you asking the question, Senator. The counsel raised the question.

The CHAIRMAN. Will you permit me to try to conduct this properly for your benefit and for the record?

Mr. HOFFA. Excuse me.

The CHAIRMAN. I said it is proper. Your counsel raised an objection. Counsel will agree that the proper purpose of him stating

that was to follow with the question of "Did you have that knowledge and information?"

Mr. HOFFA. I understand that, sir.

The CHAIRMAN. All right.

Senator MUNDT. Mr. Chairman, I think the counsel will now agree that the committee has not very badly smeared an entirely innocent man, because if he has been in Sing Sing and these other places, the public probably heard about it, too.

(The witness conferred with his counsel.)

Mr. FITZGERALD. If we find out if the knowledge of the witness, as Senator McClellan, the chairman, explained, is the purpose of the inquiry, I say it is pertinent. So I have no objection.

Mr. Kennedy, and I wouldn't presume to tell him how to conduct his examination, if he had said, "What knowledge did you have of the man's record?" and he said, "Well, I didn't have any knowledge," then he could follow with those other questions and I would have kept quiet.

Senator MUNDT. First of all we have to establish the man's record, so that Mr. Hoffa can answer intelligently.

The CHAIRMAN. Mr. Counsel—

Mr. FITZGERALD. I appreciate what has been done, because it has been cleared up anyway.

The CHAIRMAN. Let us proceed.

Mr. KENNEDY. I would like to say that they did get the charter, and began to organize, and there was a lot of violence attached to their organizational work. There was a telephone conversation that took place between two of the organizers in talking about the head of the restaurant that they were trying to organize. One of them suggested that they should sit down with the head of the restaurant and talk it over, to which Feldman replied "Listen, there is only one solution. It is to break his neck for him."

To this the other man, Berg, replied that there would be a lot of publicity like in New York.

So it is of some interest, and we have been looking into it in Philadelphia.

The CHAIRMAN. The question would be, Mr. Hoffa, did you have that information or did you have it before now? Did you realize at the time that you were dealing with that sort of a character?

Mr. HOFFA. I certainly never knew of the extent of the record which has been read by Mr. Kennedy. I knew he had had some difficulty, sir—

The CHAIRMAN. Did you have any of that information?

Mr. HOFFA. I knew he had had some difficulties, but I didn't inquire into what they were.

The CHAIRMAN. All right.

Mr. KENNEDY. If you didn't get it all, we can give you a copy.

Mr. HOFFA. I would appreciate your giving me a copy.

Senator McNAMARA. Mr. Chairman?

The CHAIRMAN. Senator McNamara.

Senator McNAMARA. I will be glad to yield to Senator Curtis.

Senator CURTIS. That is all right. Go ahead.

Senator McNAMARA. We are discussing Mr. Feldman in connection with this point. Apparently the record extended from a period in the

late 1920's to 1935, or the middle 1920's to 1935. Did he become a member of your organization after 1935 or prior to 1935, or do you have that information?

Mr. HOFFA. The organization that Feldman is connected with was, again, an independent union, Senator.

Senator McNAMARA. Not a member of the teamsters?

Mr. HOFFA. They then came into the teamsters.

What year I don't know, offhand, but I can certainly get the information. But I am convinced that it was after 1935.

Senator McNAMARA. This record, apparently, of him, that we have here is one that he acquired before he became a member of the teamsters local, to the best of your recollection?

Mr. HOFFA. To the best of my recollection, I believe that is right.

Senator McNAMARA. But, prior to that, he was operating under this State of Pennsylvania charter?

Mr. HOFFA. That is correct, an independent charter, to the best of my recollection and knowledge.

Senator McNAMARA. I would think it would be a reflection in the first instance of other than the union movement when he had a charter operating by some other agency.

The CHAIRMAN. Senator Curtis?

Senator CURTIS. Mr. Hoffa, you replied in substance that you were not aware of the entire record of Mr. Feldman as recited by counsel. Mr. Kennedy. Then you followed with a statement that you knew that he had had some difficulties.

Mr. HOFFA. I said I had heard so, Senator.

Senator CURTIS. Yes. Well, now, what difficulties did you learn of?

Mr. HOFFA. I understood he had had some difficulty with the law, but I did not check into it to find out how serious it was, sir.

Senator CURTIS. Which difficulty did you learn that he had?

Mr. HOFFA. Offhand I don't know of any specific one, but I understood he had had some trouble.

Senator CURTIS. Did you know that he had served in Sing Sing?

Mr. HOFFA. I don't believe I had that knowledge, sir.

Senator CURTIS. Then I would like to ask you: What, in your opinion, from the standpoint of character and reputation, should bar someone from receiving the union charter?

I base that on the assumption that all the other facts are such that somebody ought to get a charter.

Mr. HOFFA. Well, that is a very difficult question to answer, and I don't really have the answer, because I know of no way that you can segregate individuals who, unfortunately, had a record, as against those who did not have a record, when after establishing a record they became reputable citizens and good citizens of the community. I personally don't know how to determine that.

I think we as labor officials have to consider their activities within the labor movement.

Senator CURTIS. Did you know Mr. Feldman to be a good citizen and a good citizen in his community before you issued the charter?

Mr. HOFFA. From my own knowledge, I couldn't say that exactly, but I have heard no objections. Let's put it that way.

Senator CURTIS. You knew he had difficulties, and you did not know that he was a good citizen in his community at that time?

Mr. HOFFA. I didn't know he wasn't, either.

(At this point, Senator Goldwater withdrew from the hearing room.)

Senator CURTIS. I wish you would give this committee the benefit of your opinion as to what, from the standpoint of character and reputation, should disqualify someone from receiving a charter for a union.

Mr. HOFFA. Senator, I would be the last man to be able to say that I could solve that problem, or be able to make a determination of that question without taking each individual case based upon individual sets of facts to make that determination. I would not want to hazard a guess.

Senator CURTIS. Apparently it has not concerned you very much.

Mr. HOFFA. It has concerned me to the extent that I would take an individual case, if it came to my attention.

Senator CURTIS. You labor leaders have been conspicuously silent on recommendations for legislation that would help the working men and women of the country have better unions, and have their funds and interests better protected.

That is all.

Mr. HOFFA. Senator, if the same legislation is passed to all citizens of the United States as you are now trying to assume should be passed for labor officials and labor members, they would be accepted, I imagine, by the public as a whole as being fair. But if they are passed specifically to apply only to labor leaders, then I question whether or not the general public, as a whole, would agree that class legislation should be passed.

Senator CURTIS. I still say you are conspicuously silent, all of you.

Senator MUNDT. Mr. Chairman?

The CHAIRMAN. Senator Mundt.

Senator MUNDT. On that same point, Mr. Hoffa, I would like to ask you the same question I asked Mr. Einar Mohn. Society has decided, your country and mine, that there are certain types of crimes so bad that when a man has served his sentence and has been restored to freedom, he still is denied the right to vote, because he is considered unfit to vote. Would you agree that a man whom society has decided is unfit to vote should also be considered unfit to receive a charter of the union or to serve as a union official?

(The witness conferred with his counsel.)

Mr. HOFFA. I am trying to get an answer on something that I believe I have to know before I answer your question, if you would give me a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. I tried to inquire from the attorney as to by what procedure a man could reestablish his civil rights, and without checking into it his recollection is that there is a certain method that you may approach to reestablish your civil rights, and if there are such, then the same rules should apply to rehabilitation of a citizen in his right to be an officer of a union.

Senator MUNDT. I am talking about the fellow who has committed a crime so bad in the eyes of his fellow citizens—and he has been restored to freedom—that he is denied the right to vote. Obviously, to that extent, he has not established his civil rights, he has not established the civil right of voting.

Mr. HOFFA. I wouldn't quarrel too much with your philosophy.

Senator MUNDT. It would seem to me that while you are working up a new constitution, trying to improve things, you might well consider including in that constitution a statement that where a man has been declared unfit to vote by his own activities in his conflict with the law, he should also be unfit to hold an office in the labor unions. That would be some protection to your members who have a right to look for the honest custodianship of their funds.

Mr. HOFFA. On page 5—and we are going to supply you with this same time before we leave the city—there is a provision in our proposed recommendations dealing with the subject that you are talking about, and it is listed as "Racketeers, crooks, Communists, and Fascists," because we believe, Senator, that if it is unwise for the individual who committed a crime in his youth or sometime during his life to hold office, it also should be a crime for Fascists, Communists, "ex" or otherwise, to hold office on the same basis as a person convicted of a crime.

Senator MUNDT. I certainly would applaud that addendum. That would be fine.

The CHAIRMAN. All right. We will take a recess until 2 o'clock this afternoon.

(Whereupon, at 12:45 p. m., the committee recessed, to reconvene at 2 p. m., the same day.)

(Members present at the taking of the recess: Senators McClellan, Ervin, McNamara, Mundt, and Curtis.)

AFTERNOON SESSION

The CHAIRMAN. The committee will be in order.

(Members of the select committee at the convening of the session were Senators McClellan, Ives, McNamara, Mundt, Goldwater, and Curtis.)

The CHAIRMAN. All right, Mr. Counsel.

Mr. KENNEDY. Mr. Chairman, I would like to call a brief witness on a question that came up this morning, Mr. Paul "The Waiter" Ricca.

The CHAIRMAN. I happen to remember Mr. Hoffa spoke to me just now and he said that he had some information that he had been requested to supply. You may submit that now, Mr. Hoffa.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

Mr. HOFFA. Senator, I find that there are 12 permitted companies hauling Cadillacs out of the city of Detroit and I will give the names to Mr. Kennedy. I find also, that out of the 2 particularly large companies, there are 50 units hauling Cadillacs, 36 owned by the company and 14 owned by individual driver-owners. That is Boutell Truck Co.

Mr. KENNEDY. Would you repeat what you said?

Mr. HOFFA. Yes, I will.

There are a total of 50 units pulling out of the Cadillac yard, 36 owned by the company, 14 owned by individual driver-owners.

Mr. KENNEDY. Now, driver-owners, that is not a company there. Your situation is different from a driver-owner.

Mr. HOFFA. I will give that to you, you are right. For that point you are right.

Mr. KENNEDY. Then on other companies, you said 36 are connected with the company itself. Will you repeat them?

Mr. HOFFA. I think you got me wrong.

Mr. KENNEDY. Start over again.

Mr. HOFFA. There are 12 companies who are permitted carriers pulling out of Detroit, hauling Cadillac automobiles.

Mr. KENNEDY. Exclusively?

Mr. HOFFA. No, sir, neither does Commercial Carriers.

Mr. KENNEDY. But you haul Cadillacs exclusively, your company.

Mr. HOFFA. Well, just a moment. I am trying to point out that there are 12 permitted companies that haul Cadillac automobiles. Also, those 12 companies haul Chrysler products. Now, there are certain companies assigned to the Cadillac operation. So I say that Boutell has assigned to pull out of the Cadillac yard, 50 units, and I outlined how they are.

Mr. KENNEDY. Give me what the 50 units are again.

Mr. HOFFA. Thirty-six owned by the company.

Mr. KENNEDY. Thirty-six owned by what company?

Mr. HOFFA. By Boutell Co. and 14 owned by individual owners.

Mr. KENNEDY. Of the 36, is it your testimony that all 36 of those carried exclusively Cadillacs?

Mr. HOFFA. The information I have here which was checked during the noon hour, is that the 50 trucks I am talking about are assigned to the Cadillac yard to haul exclusively Cadillacs.

Mr. KENNEDY. Your testimony is that those 36 companies haul exclusively Cadillacs, is that right?

Mr. HOFFA. No, sir, my testimony is the 36 units, individual tractor units owned by the company, are hauling Cadillacs out of the Detroit yard.

The CHAIRMAN. Let me get this straight. There are 36 units, and what do you mean by "units"?

Mr. HOFFA. Tractor trailer units.

The CHAIRMAN. A truck?

Mr. HOFFA. Yes, tractor trailer or units.

The CHAIRMAN. Who are those 36 owned by?

Mr. HOFFA. By Boutell.

The CHAIRMAN. That is another company?

Mr. HOFFA. That is a permitted truck company.

The CHAIRMAN. A permitted truck company?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Then there are 14 where the individuals own their own trucks and haul them?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Now, out of the 50, how many of those haul exclusively Cadillac cars?

Mr. HOFFA. I am informed that those 50, Senator, do haul exclusively Cadillacs.

The CHAIRMAN. All 50 of them exclusively haul Cadillacs?

Mr. HOFFA. Yes, sir, that was during the noon hour and I am quite sure it is right, and I would say subject to further check, this is the way it is.

Now, on Commercial Carriers, there is a total of 142 units pulling out of the Cadillac yard, 116 owned by the company and 5 owned by the T. & L. Fleet operation, 11 owned by Office Employee Fleet, and 10 owned by Hoblein Co.

Senator MUNDT. What company owned the 116, the Cadillac Co. itself?

Mr. HOFFA. Commercial Carriers, the permitted carrier.

Mr. KENNEDY. How many units do they have, Commercial Carriers?

Mr. HOFFA. You mean total, probably two or three hundred I would imagine, and may 300.

Mr. KENNEDY. You mean a third of all of their trucks haul Cadillacs?

Mr. HOFFA. I think that is right, Mr. Kennedy.

Mr. KENNEDY. What is that?

Mr. HOFFA. I think that you are right.

Mr. KENNEDY. There is no question about the trucks or units that belong to the company itself hauling Cadillacs, because it is advantageous financially to haul Cadillacs. It is a question of whether Commercial Carriers gave your company an advantage by allowing you to exclusively haul Cadillacs.

Mr. HOFFA. Mr. Kennedy, I don't want to take the time up of the Chair because he said he had something else, but I want to say to you that Cadillacs are hauled by trucks that are for Cadillac automobiles, because of the size of the car and the type covers we put on them.

So they do assign them, even though they can haul other cars, they assign them for the particular reason of Cadillacs having to have extra care they have to have.

Now, Senator, I would also like, if I may, sir, to place in the record the Interstate Commerce Commission notice of June 14, 1957, dealing with the question of the McLean industry, where it indicates the last report of the two companies being in separate units completely, which would not involve our organization as far as the steamship line is concerned.

The CHAIRMAN. That document that you have referred to will not be printed in the record, but it may be filed as an exhibit for reference. That is just incidental to some other testimony.

Mr. HOFFA. Thank you.

The CHAIRMAN. That may be made exhibit 165.

(The document referred to was marked "Exhibit No. 165" for reference, and may be found in the files of the select committee.)

Mr. HOFFA. Now, may I correct the last thing that we were in disagreement on this morning.

One is the question of trusteeships and the number of members in the Central States.

The CHAIRMAN. Do you have any additional information?

Mr. HOFFA. There are 33 trusteeships in the Central States, and 50,254 members, or 9 percent of the total, sir.

The CHAIRMAN. That is your latest figure?

Mr. HOFFA. I just had it taken off the books at noon.

The CHAIRMAN. Is there anything further now?

Mr. HOFFA. No sir.

The CHAIRMAN. All right, Mr. Counsel, you may proceed.

I did read a telegram that had come to me this morning.

Mr. HOFFA. I am inquiring to that, and I could not reach the officials at lunch and I expect to have it sometime this afternoon to answer your question.

The CHAIRMAN. All right.

Mr. KENNEDY. There was also a question about the identity of Paul "The Waiter" Ricca, and we have looked into the matter and we have some information. I would like to call Mr. Salinger, if he would just sit over here and give the information.

The CHAIRMAN. I do not believe you have been sworn.

You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SALINGER. I do.

TESTIMONY OF PIERRE E. G. SALINGER

The CHAIRMAN. Be seated.

State your name and your place of residence and your present employment.

Mr. SALINGER. My name is Pierre Salinger, and I reside in Washington, D. C., and I am an employee of this committee.

The CHAIRMAN. In what capacity?

Mr. SALINGER. I am an investigator.

The CHAIRMAN. All right, Mr. Counsel, you may proceed.

Mr. KENNEDY. You have made an examination of the police record of Mr. Paul "The Waiter" Ricca?

Mr. SALINGER. I have.

Mr. KENNEDY. Do you have the summary of that before you?

Mr. SALINGER. I have.

Mr. KENNEDY. Does he have any other name other than Paul Ricca?

Mr. SALINGER. Yes, sir. Paul Ricca is Paul De Lucia.

Mr. KENNEDY. How do you spell the last name?

Mr. SALINGER. D-e L-u-c-i-a.

Mr. KENNEDY. How have you ascertained that information?

Mr. SALINGER. I ascertained that from a check of the record of Paul "The Waiter" Ricca with the Federal Bureau of Investigation.

Mr. KENNEDY. What is the record, or what did you find? Did you find there are deportation proceedings against Paul Ricca?

Mr. SALINGER. I did, sir. I talked this morning to the United States attorney in Chicago, Ill., Mr. John Tekan, who notified me that earlier this year after a 5-week deportation trial, Mr. Paul Ricca or Paul De Lucia was ordered deported from this country.

Mr. KENNEDY. For what reason?

Mr. SALINGER. One of the reasons that came out during the trial was the fact that he had participated in the murder of two men in Italy before he came to the United States.

Mr. KENNEDY. Has he had a record since he came here?

Mr. SALINGER. He has.

Mr. KENNEDY. Would you give us a summary of that?

Mr. SALINGER. Mr. Ricca was arrested in 1943 on grounds of extortion; this charge was nolle prossed.

In 1944 he was charged with antiracketeering, and given a 10-year sentence and sent to Atlanta Federal Penitentiary.

Mr. KENNEDY. You mean under the antiracketeering statement?

Mr. SALINGER. Yes. He was sent to the United States Penitentiary and then transferred to Leavenworth and finally parolled in 1947.

Since then he has been indicted on a charge of making false statements to the Internal Revenue Department on his income tax returns and that is still a pending matter.

Mr. KENNEDY. That was Paul De Lucia who received the moneys, some \$150,000 for the purchase of his estate, from the teamsters union?

Mr. SALINGER. It was.

Mr. KENNEDY. It was deposited in his bank account?

Mr. SALINGER. It was.

Mr. KENNEDY. That is all.

The CHAIRMAN. You may stand aside.

**TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL,
GEORGE S. FITZGERALD—Resumed**

The CHAIRMAN. Now, Mr. Hoffa, this morning I gave you an opportunity to state if you knew these parties.

Do you know whether he was connected under either name with these checks that were placed as exhibits?

Mr. HOFFA. Sir, to my recollection I have never met the gentleman that has been mentioned and I am quite sure that the trust company we did business with did not inform us of the previous owner, and apparently misled the inquiry of our attorney when it appeared in the papers to determine whether or not this individual had anything to do with the property.

The CHAIRMAN. Obviously, he had something to do with the money.

Mr. HOFFA. I can understand that.

The CHAIRMAN. That is what we are trying to clear up. Can you help us any on that?

Mr. HOFFA. No, sir, I have nothing else on it.

The CHAIRMAN. Thank you very much.

All right, proceed.

Mr. KENNEDY. I just have a few questions on some testimony that you have given already that I would like to have cleared up.

How well do you know Harold Marx, who received that loan from the union?

Mr. HOFFA. I would say quite well.

Mr. KENNEDY. Have you had any business dealings with him?

Mr. HOFFA. Only in regard to the loan.

Mr. KENNEDY. Other than that?

Mr. HOFFA. I cannot recall of any business dealings I had with him, except—just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. As pointed out by Mr. Fitzgerald, I have had business with the union, because he is one of the accounts.

Mr. KENNEDY. Mr. Harold Marx is one of the accountants for the union?

Mr. HOFFA. His concern is, and I don't know if Harold himself personally does it, but his concern does.

Mr. KENNEDY. Harold Marx, his concern does the accounting for which union?

Mr. HOFFA. For the central conference.

Mr. KENNEDY. Who out of his office does that?

Mr. HOFFA. I said central conference, and I am wrong. It is Central States Drivers Council, and I believe it is the pension and welfare fund that his concern is the accountant for.

Mr. KENNEDY. The pension and welfare fund?

Mr. HOFFA. I believe that is correct. Just a moment. Wait a minute.

(The witness conferred with his counsel.)

Mr. HOFFA. To correct the record, there is some technical title which must be put on it, I suppose. It is the Central States southeast-southwest health and welfare pension plan, which is tied in in conjunction with the Central States Drivers Council. I think that is the proper description of it.

Mr. KENNEDY. Where are his headquarters?

Mr. HOFFA. I believe they are in New York.

Mr. KENNEDY. He has representatives out in the Midwest, does he?

Mr. HOFFA. He has representatives come into the office I believe quarterly, or annually, or both.

Mr. KENNEDY. Are you in touch with him much yourself?

Mr. HOFFA. Occasionally; yes, sir.

Mr. KENNEDY. Do you discuss any of your business interests with him?

Mr. HOFFA. I imagine I do, during discussions.

Mr. KENNEDY. But you have never gone into any business deal with him?

Mr. HOFFA. To the best of my recollection, the answer is "No."

Mr. KENNEDY. What was he going to use this money for?

Mr. HOFFA. For investments, I assume.

Mr. KENNEDY. Do you know how he was going to use it?

Mr. HOFFA. No; I say I did not ask him. I don't want to guess what it was.

Mr. KENNEDY. Have you received any information as to how he was going to use the money?

Mr. HOFFA. I think that he invested the money, and I am not sure, Mr. Kenedy, and I don't want to make a positive statement without talking to him and getting the facts.

Mr. KENNEDY. How much money did he receive from the union altogether? We had the figure yesterday, I think.

Mr. HOFFA. It was \$150,000, or \$145,000.

The CHAIRMAN. I think it was \$149,000.

Mr. KENNEDY. That is where it was mixed up.

Mr. HOFFA. I think we finally found the one check in regard—

Mr. KENNEDY. You remember we had a \$12,500 check, plus \$50,000, and so it was \$62,500.

Mr. HOFFA. Then I said there was money from another place.

Mr. KENNEDY. You said yesterday you didn't know. Now you say there was.

Mr. HOFFA. Finally yesterday we came to a conclusion, and probably we didn't, but we discussed several of those problems; and if we didn't, I won't be able to answer.

Mr. KENNEDY. Did some money come from 299?

Mr. HOFFA. I told you it did.

Mr. KENNEDY. Another \$62,500?

Mr. HOFFA. I think it is, as I said yesterday, but I don't want to be held to the figure; but, as I told you, they are paid back.

Mr. KENNEDY. When you loaned the money from 299, \$62,500 or thereabouts from local 299, what did Mr. Marx tell you he was going to do with the money?

Mr. HOFFA. Mr. Marx, I believe, to the best of my recollection, was going to invest the money.

Mr. KENNEDY. Invest in what?

Mr. HOFFA. I believe in stocks and bonds.

Mr. KENNEDY. Well, I would think, if you were loaning that much of union money out to an individual, you would find out where the money was going.

Mr. HOFFA. If you had asked me to bring the record, I could give you positive information, but recalling it from memory isn't so easy. I can remember many individuals who testified who couldn't remember what happened the previous week.

Mr. KENNEDY. But you can't remember what Mr. Marx told you as to what he was going to do with some \$125,000?

Mr. HOFFA. I gave you my best recollection.

Mr. KENNEDY. Just investments in some bonds.

Mr. HOFFA. I gave you my best recollection.

Mr. KENNEDY. Am I correct?

Mr. HOFFA. I say I gave you my best recollection that he was going to invest in bonds, if I remember correctly.

Mr. KENNEDY. Do you remember what kind of bonds he was going to invest in?

Mr. HOFFA. I couldn't give you an exact answer, because I haven't that information, but I will supply it if it becomes necessary.

Mr. KENNEDY. Was he going to purchase any bonds for you?

Mr. HOFFA. No, sir.

Mr. KENNEDY. He was not?

Mr. HOFFA. No.

Senator IVES. I would like to ask Mr. Hoffa, in that connection, what security you have for that money?

Mr. HOFFA. \$350,000 or \$400,000 worth of real estate.

Senator IVES. Real estate?

Mr. HOFFA. His interest in real estate.

Senator IVES. Was that what he was putting the money into?

Mr. HOFFA. No, sir. This was real estate that he placed for collateral for the loan, sir.

Senator IVES. Let me ask you this: This money came from the union?

Mr. HOFFA. That is correct.

Senator IVES. Local 299?

Mr. HOFFA. And 337.

Senator IVES. And it was authorized by your membership?

Mr. HOFFA. I have authority to make loans from my membership and I cannot speak for the other one.

Senator IVES. I don't question that, but the thing I do raise is this: This money is all tax exempt, isn't it?

Mr. HOFFA. Yes, sir. You are talking about the union?

Senator IVES. Yes, and it pays no taxes on this money of any kind, and you are turning it around here and loaning it out for some private

undertaking. At least I assume it is a private undertaking. Did you get any interest on it?

Mr. HOFFA. Yes, sir.

Senator IVES. You got that much for income, then?

Mr. HOFFA. Yes, sir.

Senator IVES. Do you think that is a good way to do business, to get tax-exempt money of that kind and turn it around and loan it out to a private undertaking?

Mr. HOFFA. I would say that the labor organizations are not the only type of organizations that do that.

Senator IVES. I am not talking to you about that. Two wrongs don't make a right, and I am asking you about this one thing.

Mr. HOFFA. As long as it is permissible and legal, I see nothing wrong with it.

Senator IVES. That isn't the question I asked you. I asked you whether you thought there was anything wrong and you apparently don't.

Mr. HOFFA. I do not.

Senator IVES. It occurs to me something ought to be done to tighten up that matter.

Mr. KENNEDY. I just want to ask you about one other individual whose name has come up, and that was Mr. Oren DeMass. You remember we discussed him?

Mr. HOFFA. I remember.

Mr. KENNEDY. And he had loaned you, I believe, some money, you and Bert Brennan.

Mr. HOFFA. Several times, and he loaned me \$25,000 for Terminal Realty, and he put the money up and held the stock for security, if you will remember.

Mr. KENNEDY. Did he loan you some money at another time?

Mr. HOFFA. Yes, sir; several times.

Mr. KENNEDY. When?

Mr. HOFFA. Well, it strikes me in 1950, 1951, and 1952, and—just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. Prior to 1950, and I can't remember.

Mr. KENNEDY. Do you know how much he loaned you at a time?

Mr. HOFFA. I do not know offhand. It wasn't a considerable amount.

Mr. KENNEDY. Did Mr. DeMass have any difficulties with the authorities, the law at one time, in 1946?

Mr. HOFFA. If he did I never heard of it.

Mr. KENNEDY. You never heard of it?

Mr. HOFFA. No.

(The witness conferred with his counsel.)

Mr. HOFFA. I want to correct the record. The attorney tells me there was some difficulty but it was dismissed and that is why I didn't remember it.

Mr. KENNEDY. This was the man who was the tailor and the poet and the liquor man?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. Were you involved in that difficulty?

Mr. HOFFA. I understand I was.

Mr. KENNEDY. Was that in connection with the testimony of a man by the name of Prujanski who testified before the grand jury?

Mr. HOFFA. Now that my attorney has refreshed my memory, I believe it was.

Mr. KENNEDY. You and Mr. DeMass extorted \$3,000 from him?

Mr. HOFFA. I was also dismissed from having done anything wrong.

Mr. KENNEDY. Was that in connection with—

Mr. HOFFA. It didn't go to trial.

Mr. KENNEDY. No; but was that in connection with extorting \$3,000 from Mr. Prujanski?

(The witness conferred with his counsel.)

Mr. KENNEDY. That was the charge; wasn't it?

Mr. HOFFA. I am trying to find out.

(The witness conferred with his counsel.)

Mr. HOFFA. The charge was either conspiracy to extort or extort, and when the hearing took place, DeMass and Hoffa were excused and there was no cause for Hoffa and DeMass. It was dismissed by a preliminary examiner.

Mr. KENNEDY. But Prujanski after he testified before the original grand jury, left town, did he not? Do you remember that?

Mr. HOFFA. He left town to get some work.

Mr. KENNEDY. He left town, and then they caught up with him again and brought him back, and then he refused to testify.

Mr. FITZGERALD. We don't want to withhold anything and I haven't objected, but this thing happened back years ago, and it didn't have any connection with labor matters, and it couldn't have, as I see it, any pertinency or relevancy here.

The CHAIRMAN. Let me see. Is Mr. DeMass one of the borrowers or loaners?

Mr. FITZGERALD. No.

Mr. KENNEDY. He had a business relationship with Mr. Hoffa and he did have something to do with a picket.

Mr. HOFFA. You are right, Senator.

Mr. KENNEDY. Mr. Prujanski left town.

Mr. FITZGERALD. I guess you are right. Maybe I was being a little legalistic, and I was thinking of the statute of limitations.

The CHAIRMAN. The statute of limitations may have run.

Mr. FITZGERALD. It is perfectly all right, Your Honor.

The CHAIRMAN. Thank you very much.

You may proceed.

Mr. KENNEDY. Mr. Prujanski left town after he testified before the grand jury.

Mr. HOFFA. I understood he sought employment in California.

Mr. KENNEDY. And when they brought him back to testify again, he refused to testify, isn't that correct, against you and Mr. DeMass?

Mr. HOFFA. Well, if my memory serves me right, to the best of my recollection, I read in the newspaper something to that effect.

Mr. KENNEDY. And he was sentenced for refusing to answer questions? He was sentenced to jail for 90 days?

Mr. HOFFA. I think the best answer is the court record, and I can't recall.

Mr. KENNEDY. Can you remember anything about it?

Mr. HOFFA. Roughly.

Mr. KENNEDY. Is that roughly right?

Mr. HOFFA. Well, I read the newspapers and I believe he did serve some time.

Mr. KENNEDY. For refusing to testify against you and Mr. DeMass?

Mr. HOFFA. I believe that is right.

Mr. KENNEDY. And the case was dismissed after that?

(The witness conferred with his counsel.)

Mr. HOFFA. I cannot give you that information. You will have to get it from the court record.

Mr. KENNEDY. But the case was dismissed. I think we have established that.

Mr. HOFFA. The case was dismissed.

Mr. KENNEDY. Did you have anything to do with Mr. Prujanski going to California?

Mr. HOFFA. Did I have anything to do with it?

Mr. KENNEDY. Did you directly or indirectly have anything to do with Mr. Prujanski going to California?

Mr. HOFFA. I never told Prujanski to do anything.

Mr. KENNEDY. Did you directly or indirectly have anything to do with Mr. Prujanski going to California?

Mr. HOFFA. To the best of my recollection, I did not discuss the matter with Prujanski.

Mr. KENNEDY. That is not answering it either. Did you directly or indirectly have anything to do with Mr. Prujanski going to California?

Mr. HOFFA. To the best of my recollection, I do not recall having anything to do directly or indirectly with Prujanski going to California.

Mr. KENNEDY. To the best of your recollection?

Mr. HOFFA. At this moment.

Mr. KENNEDY. You can't say flatly that you did not?

Mr. HOFFA. Well I gave you my answer.

Mr. KENNEDY. But you can't say flatly.

Mr. HOFFA. I gave you my answer.

Mr. KENNEDY. You cannot answer flatly that you did not tell Prujanski directly or indirectly to go to California?

Mr. HOFFA. This happened years ago, and I am trying to give you my best recollection, and I gave my answer.

Mr. KENNEDY. I would think it would be something, Mr. Hoffa, that you would remember. Here you were under indictment or there were charges against you for extorting \$3,000 in connection with Mr. Prujanski. He testified before the grand jury and then suddenly left for California and they had difficulty getting him back. Now I would think that this would be a fairly important event in your life that you would remember, but you say you can't remember it.

Mr. HOFFA. I gave you my best recollection.

Mr. KENNEDY. And you would rather not answer or you can't give anything more on it; is that right?

Mr. HOFFA. I gave you my best recollection.

Mr. KENNEDY. I would like to ask you about this check.

Are you familiar with the Wholesalers, Producers, and Buyers Association?

Mr. HOFFA. Somewhat.

Mr. KENNEDY. What is that association?

Mr. HOFFA. I believe it is to the best of my recollection, an association of small so-called driver-owners who deliver produce to inde-

pendent stores. They buy their own merchandise wholesale, and take it on the truck and go out into the small stores and sell it, and they have to crate it and so on.

Mr. KENNEDY. Do they have any negotiation with the teamsters?

Mr. HOFFA. They are members of the teamsters.

Mr. KENNEDY. Did they have some difficulty in 1956?

Mr. HOFFA. Yes, they did.

Mr. KENNEDY. What kind of difficulty?

(The witness conferred with his counsel.)

Mr. HOFFA. Some type of antitrust, I believe, Mr. Kennedy. It arose somewhere out of OPA, I think.

Mr. KENNEDY. They had some legal fees in connection with that?

Mr. HOFFA. That is correct.

Mr. KENNEDY. Did the teamsters pay any of those legal fees?

Mr. HOFFA. I personally attended a meeting of the small merchants that was discussed here the other day by the Senators. These fellows own and operate their own business with 102 people helping them and they are members of our union. When they became involved in difficulty, we attempted to help those small fellows stay in business. That was by paying part of the legal fees out of dues, that they had paid to our organization previously.

Mr. KENNEDY. How much did you pay? How much did the teamsters pay?

Mr. HOFFA. I think you have two checks there and I can't recall the amounts.

The CHAIRMAN. The Chair hands you a photostatic copy of a bill rendered to local 337, I believe, on April 16, 1956, re: "United States Versus Wholesale Buyers Association: portion of the total bill for services rendered in the handling of above case, \$3,000."

Will you examine that photostatic copy and see if you can identify it and give us an explanation of it?

(A document was handed to the witness.)

Mr. HOFFA. This is an invoice that Mr. Bellino and I discussed, and I believe Mr. Salinger, and I gave them the details of this particular item.

The CHAIRMAN. That may be made exhibit 166.

(The document referred to was marked "Exhibit No. 166" for reference, and will be found in the appendix on p. 5282.)

Mr. KENNEDY. That was evidently a \$3,000 attorney's fee that was paid by the teamsters for this association.

Mr. HOFFA. I think it was a portion of the fee.

Mr. KENNEDY. That was an antitrust action?

Mr. HOFFA. Some type.

Mr. KENNEDY. Against this association?

Mr. HOFFA. Some type of antitrust, and I am not too familiar with the legal description of it.

Mr. KENNEDY. And the teamsters union or you felt this was a legitimate charge of union members' dues to pay the attorney's fees for this association?

Mr. HOFFA. Mr. Kennedy, those individuals who belong to that association belong to our union and carry a teamsters union book and pay dues, and it could be all or part of the money that was paid was out of their dues that they paid into our organization.

(The witness conferred with his counsel.)

Mr. HOFFA. I may say that I believe the record will show that they were found innocent of any such charge.

Mr. KENNEDY. This was a charge against the association, was it not?

Mr. HOFFA. Which included the individual members, I believe, at the same time.

Mr. KENNEDY. But it wasn't a charge against the teamsters union.

Mr. HOFFA. But they are members of the teamsters union.

Mr. KENNEDY. Do you pay the attorney's fees for anybody that is a member of the teamsters union, no matter what they are charged with?

Mr. HOFFA. If we deemed it was something, and I say "we," the membership, and the officers, deemed it was some issue which could establish a precedent for the future, then we would give consideration to the individual incident.

Mr. KENNEDY. Who is "we" that made this decision?

Mr. HOFFA. As I say, the members and the union.

Mr. KENNEDY. Now, did you put this up to a vote and they decided they wanted it?

Mr. HOFFA. A vote of those individuals who were at the meeting, the association members who belonged, and I personally went to the meeting and discussed the matter with them.

Mr. KENNEDY. That is just the association members. Did it go to the general membership and did they decide that they wanted to pay this fee?

Mr. HOFFA. I believe that the local bylaws of 337 and I don't have them with me, but I believe it gives the president and the officers the authority.

Mr. KENNEDY. When you say "we" you mean you and the officers and the association decided this \$3,000 should be paid.

Mr. HOFFA. If we had the authority.

Mr. KENNEDY. It was not the membership.

Mr. HOFFA. If we had the authority under the bylaws to do so, then any construction placed on the action of the officers must be a construction placed on the officers in behalf of the members because they approved the bylaws.

Mr. KENNEDY. But you say you have the blanket authority to do this, and, therefore, you did it and therefore, it is all right; is that right?

Mr. HOFFA. I didn't say any such thing.

Mr. KENNEDY. Well, did the membership ever approve this?

Mr. HOFFA. The membership approved the annual report that was submitted to 990, which they have access to, if they desire to have it.

Mr. KENNEDY. Was that after the money was spent, Mr. Hoffa?

Mr. HOFFA. The report is made up at the end of the year and it would be.

Mr. KENNEDY. Wasn't it after the money was spent that they were told about it?

Mr. HOFFA. Tell me the date of the check and I will give you an answer.

The CHAIRMAN. The bill was rendered April 16, 1956.

(The witness conferred with his counsel.)

Mr. HOFFA. I could not answer without knowing when the check was issued, Senator.

Mr. KENNEDY. Can you answer this: Was the membership informed of this \$3,000 which was going to be spent for this purpose?

Mr. HOFFA. I couldn't say whether they were informed specifically, but the expenditures of the union would be noted in the form that they filed under the requirement of Taft-Hartley.

Mr. KENNEDY. That would be at the end of the year?

Mr. HOFFA. That is correct.

Mr. KENNEDY. But this was not cleared prior to that time, or this was not cleared with the membership prior to the time that the expenditure was made?

Mr. HOFFA. I could not give you that specific answer.

Mr. KENNEDY. You could not what?

Mr. HOFFA. I cannot give you a specific answer yes or no to that question. I can only say to you that the membership has authorized the bylaws, which the union operates under and that they gave the authority to the officers and it is the same as though the membership voted on the bill.

Mr. KENNEDY. Because the officers have this blanket authority to do this, and, therefore, you say the membership approved in that manner?

Mr. HOFFA. If they approved the bylaws.

Mr. KENNEDY. Is that the same situation existing for the \$5,000 payment that was made for Mr. Crumbach, in Philadelphia? Was that ever put to the membership prior to the time the payment was made?

(The witness conferred with his counsel.)

Mr. HOFFA. That was the Michigan conference, isn't that right? There was probably taken to the executive board since the members do not participate in the Michigan conference, only through their officers.

Mr. KENNEDY. So the officers are the ones who made that decision?

Mr. HOFFA. I would say that is correct.

Mr. KENNEDY. If you are running for reelection yourself, Mr. Hoffa, under your theory, union funds could be used to promote your election, or reelection, is that right?

Mr. HOFFA. Unless the members voted to the contrary at the time of nominations.

Mr. KENNEDY. What I mean is that the officers of the Michigan conference of teamsters, if they decided that would be a worthy project, to the reelection of Mr. James Hoffa, then union funds could be used to reelect you, isn't that correct?

Mr. HOFFA. I would assume you are correct.

Mr. KENNEDY. And in the Michigan conference of teamsters, funds can be used to elect your opponent?

Mr. HOFFA. There has never been any competition so the question has never arose.

Mr. KENNEDY. There has never been anyone running against you?

Mr. HOFFA. Nobody.

Senator MUNDT. Is there any relationship between those two facts, Mr. Hoffa?

Mr. HOFFA. I beg your pardon?

Senator MUNDT. Is there any relationship between those two facts?

Mr. HOFFA. I don't get your point, Senator.

Senator MUNDT. Is there any relationship between the fact that you can use the union funds for your reelection and the fact that nobody ever ran against you?

Mr. HOFFA. I would say, Senator, there was no relationship, since the officers who elect the officials of the Michigan conference never proposed a candidate in opposition to myself, and they must have been content.

The CHAIRMAN. May I present to the witness a check dated December 30, 1952, in the amount of \$500, payable to Wholesale Producers Business Association, issued by the Food and Beverage Drivers Union Local, No. 337. Will you please identify that?

That check may be made exhibit 167.

(The document referred to was marked "Exhibit No. 167" for reference, and will be found in the appendix on p. 5283.)

The CHAIRMAN. Are there any other questions about the check?

Mr. KENNEDY. No, Mr. Chairman.

The CHAIRMAN. I hand you another check, which I interpret as dated June 8, 1957, payable to John L. Cowling, in the amount of \$260. That is issued by the Michigan conference of teamsters.

I will ask you to examine this check and see if you identify it.

(A document was handed to the witness.)

Mr. HOFFA. Yes, sir, I do, Mr. Chairman.

The CHAIRMAN. That may be made exhibit 168.

(The document referred to was marked "Exhibit No. 168" for reference, and will be found in the appendix on p. 5284.)

The CHAIRMAN. Would you tell us what that check is for?

Mr. HOFFA. Public relations for the National Tavern Owners Association, National Negro Tavern Owners Association.

Mr. KENNEDY. That is \$260 of union funds that went to the National Tavern Owners Association?

Mr. HOFFA. Negro Tavern Owners Association. I explained that to Mr. Bellino and Mr. Salinger, and they have the information.

Mr. KENNEDY. Who is Mr. John Cowling?

Mr. HOFFA. Cowling is a person who works for someone in the county treasurer's department, and an individual who is connected with various civic and political organizations.

Mr. KENNEDY. Are you familiar with the ad that he placed in the Afro-American here?

Mr. HOFFA. I saw the ad.

Mr. KENNEDY. Prior to his placing that ad, had you talked to him?

Mr. HOFFA. I saw him in court, and did not discuss the question with him.

Mr. KENNEDY. Prior to his coming here to Washington, had you discussed the matter with him?

Mr. HOFFA. Had I discussed what with him?

Mr. KENNEDY. Had you talked to him prior to his coming here to Washington?

Mr. HOFFA. I have talked to him many times.

Mr. KENNEDY. Had you talked to him prior to the time he came here to Washington?

Mr. HOFFA. I don't believe I talked to him. I can't recollect any conversation.

Mr. KENNEDY. Did you talk to him from your home?

Mr. HOFFA. I don't think that I did.

Mr. KENNEDY. You did not?

Mr. HOFFA. I cannot recollect it if I did.

Mr. KENNEDY. Did you know he was coming here to Washington?

Mr. HOFFA. I don't know if I did or not, and I can't recollect.

Mr. KENNEDY. You cannot recollect that either?

Mr. HOFFA. No, I can't.

The CHAIRMAN. Mr. Hoffa, here is a letter, apparently acknowledging receipt of the check and will you see if you identify it? I do not believe your name is on it.

(A document was handed to the witness.)

Mr. HOFFA. Mr. Bellino showed me this letter the other day.

The CHAIRMAN. You do not identify the letter?

Mr. HOFFA. I don't know, I think, just a minute here. Yes. I saw it prior to Mr. Bellino showing it to me in the teamsters headquarters and I saw it in Detroit on Saturday prior to coming here, so that I would be able to speak intelligently on it to Mr. Bellino for his information when I got here.

The CHAIRMAN. Then it is out of the teamsters files, as I understand it?

Mr. HOFFA. That is correct.

The CHAIRMAN. Then it may be made exhibit 169.

(The document referred to was marked "Exhibit No. 169" for reference, and will be found in the appendix on p. 5285.)

Mr. KENNEDY. Just on Mr. Cowling, connected with that letter, do you know of any teamster money being given to Mr. Cowling, any other money, other than this check?

Mr. HOFFA. Yes.

Mr. KENNEDY. What else?

Mr. HOFFA. Well, now, offhand I can't tell you, but we have given political donations to organizations and to Mr. Cowling for a number of years.

Mr. KENNEDY. This year do you know of any other money being given to Mr. Cowling?

Mr. HOFFA. I can get you the information, but I don't want to speculate at this moment.

Mr. KENNEDY. You think it is possible there might have been more this year?

Mr. HOFFA. I couldn't tell you.

Mr. KENNEDY. Would you get that information for us?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And get the total amount given to him?

Mr. HOFFA. To the best of my ability; yes.

Mr. KENNEDY. Now, Mr. Chairman, I would like to call Mr. Bellino to put some figures in, that I do not think Mr. Hoffa would have, and then we will go back to this subject.

The CHAIRMAN. Mr. Bellino, come around, please.

TESTIMONY OF CARMINE S. BELLINO

The CHAIRMAN. Mr. Bellino, you have been previously sworn in this series of hearings?

Mr. BELLINO. Yes, sir; I have.

The CHAIRMAN. Mr. Counsel, you may proceed.

Mr. KENNEDY. Mr. Bellino, you made an investigation and a study of some of the bills charged at a hotel for a group of individuals that were here in Washington, over the period of the past couple of months?

Mr. BELLINO. Yes, sir.

Mr. KENNEDY. In what hotel have you made a study?

Mr. BELLINO. These were bills which were charged or submitted and obtained from the Woodner Hotel, in Washington, D. C.

Mr. KENNEDY. And they are bills that were charged to the teamsters union?

Mr. BELLINO. Yes, sir.

Mr. KENNEDY. And during what period of time?

Mr. BELLINO. During the period from June 17 to July 19, which was the period of time of the trial of Mr. Hoffa.

Mr. KENNEDY. Would you tell the committee whose hotel bills were charged to the teamsters union and the amounts?

Mr. HOFFA. What is the date again, sir?

Mr. BELLINO. June 17 to July 19.

I will give them to you alphabetically.

The first one was Paul C. Allen, of Riggers local 875, with a total of \$111.96 charged to the teamsters.

William Bufalino, the bill that we had available was from about June 16, with one bill we did not have the date on, for a total of \$914.89. William Bufalino is head of local 985 of the jukebox local.

Bert Brennan, head of local 337, a total of \$628.70.

Robert Barney Baker, up to July 19 only, \$1,619.42. He is, according to the information furnished, a New York hoodlum, a stink bomb thrower, a union goon, from St. Louis, New York, and an organizer in Washington, D. C.

Al De Lamielleure, \$42.75, a private detective who was formerly with the Detroit Police Department labor squad.

George Fitzgerald, attorney, a total of \$408.09.

William Fitzgerald, the father of George Fitzgerald, I understand, \$421.73.

F. E. Fitzsimmons, secretary-treasurer, Michigan Conference of Teamsters, and business agent of local 279, a total of \$160.24.

H. I. Fischbach, an alleged coconspirator in the trial, \$27.65.

Harold Gibbons, of the Central Conference of Teamsters, a total of \$453.98.

Byrum Hurst, a law associate of Mr. Sheldon from Little Rock, Ark., a brother of the judge presiding at the trial, a total of \$752.39.

The CHAIRMAN. Let me ask you if that isn't from Hot Springs, Ark.

Mr. BELLINO. The information given to me says Little Rock, but it must be Hot Springs.

The CHAIRMAN. Who are you referring to in Little Rock?

Mr. BELLINO. The law firm of Mr. Sheldon.

The CHAIRMAN. I am not positive at the moment, but I think the law firm is in Hot Springs, but I may be mistaken.

Go ahead.

Mr. BELLINO. Robert Holmes, secretary-treasurer of local 337, \$255.69.

M. Jefferson, colored attorney from the west coast, \$14.28.

Richard Kavner, midwest hoodlum known for rough stuff, bombing, and overturnings in the Wichita taxi strike, total of \$469.89.

Stewart King, teamster union employee, \$255.19.

Mr. Kehoe, former investigator for the district attorney's office in Detroit, \$57.90.

Joe Louis, the boxer, \$21.66.

Donald Peters, \$65.74. He is a teamster official.

Joseph Prebenda, head of the newspaper and periodical drivers local in Detroit, \$112.64.

S. Robbins, \$422.31.

Steven Schultz, business agent for local 283, \$207.20.

J. R. Hoffa, \$1,337.62.

Al Squires, business agent of local 299, \$45.15.

And Pete Saffo, business agent connected with the central conference of teamsters, \$43.66.

Now, we have found that there were some personal checks used in the payment of some of the bills. There was \$273.73 from Mr. Hurst, and \$167.70 from Mr. George S. Fitzgerald.

There is still a balance due of approximately \$2,200. The remainder of around \$5,159 has been paid by teamsters checks.

The CHAIRMAN. What is the total?

Mr. BELLINO. The total charges which were made were \$9,366.70.

The CHAIRMAN. That is \$9,366.70. How much was paid by personal checks?

Mr. BELLINO. \$441.43.

(At this point Senator Kennedy entered the hearing room.)

The CHAIRMAN. That leaves a balance of what?

Mr. BELLINO. Approximately \$3,700 altogether, between teamsters in Detroit and the central conference of teamsters in St. Louis.

The CHAIRMAN. According to my calculation, it leaves a balance of \$8,925.27.

Mr. BELLINO. There was a teamster check for \$5,100.

The CHAIRMAN. But I was talking about that part, that has been paid by personal checks, leaving a balance that has either paid or charged to the union, if my calculations are correct.

Mr. BELLINO. \$8,925.27.

The CHAIRMAN. Let me ask you another question there. Is that just the hotel bills?

Mr. BELLINO. Yes.

The CHAIRMAN. Does that include transportation?

Mr. BELLINO. No, sir.

The CHAIRMAN. Or any other business that may have been rendered for expenses?

Mr. BELLINO. No, sir.

The CHAIRMAN. You have no other bills, other than just the hotel?

Mr. BELLINO. These are just the hotel bills; yes, sir.

The CHAIRMAN. All right.

Senator CURTIS. May I ask something right there? What were the dates from when to when?

Mr. BELLINO. From the time that the trial was scheduled, about June 17 to July 19, when the trial was over.

Senator CURTIS. Will you repeat again the identifying description you gave of Mr. Kavner?

Mr. BELLINO. From the information furnished to me, he was described as a Midwest hoodlum known for rough stuff, bombings and overturnings in Wichita, Kans., taxi strike.

Senator CURTIS. That is all.

Mr. KENNEDY. Mr. Bellino, how much of this total bill was charged to the teamsters?

Mr. BELLINO. Approximately \$8,900, although the total amount was charged, but personal checks that we know about paid for some of it.

Mr. KENNEDY. So there is \$8,900 that is charged to the teamsters; and how much of that has been paid by the teamsters?

Mr. BELLINO. We have \$5,159.63.

Senator CURTIS. Who paid it for the teamsters?

Mr. BELLINO. Some of it came from Detroit, and some from the various locals, and others.

Senator CURTIS. Different individuals made settlement with the cashier?

Mr. BELLINO. We haven't seen all of the checks as yet, but we know on one local 337, it was paid by the local.

Senator CURTIS. Who authorized the charging of the unpaid balance that is charged to the teamsters?

Mr. BELLINO. I do not know, sir.

Senator CURTIS. But the hotel advised you that that was the situation.

Mr. BELLINO. The hotel has a charge record on which they list to whom it should be charged, and they have the teamsters of Detroit and teamsters of St. Louis, or teamsters of Chicago.

Senator CURTIS. Did you learn from the hotel or otherwise who made the overall arrangement and advised the hotel that these bills would be paid by the teamsters?

Mr. BELLINO. I do not know who made the overall arrangements. I know that the case of Joe Louis' arrangements were made by Barney Baker, of the St. Louis teamsters.

Senator CURTIS. Advising the hotel that he would arrive?

Mr. BELLINO. Made reservation for him on the 15th of June. That he would arrive.

Senator CURTIS. Whose money did they pay that with?

Mr. BELLINO. I am sorry, that was July 15.

Senator CURTIS. Whose money did they pay that with? I mean, what is the source of all of this money?

Mr. BELLINO. Most of it was teamsters funds, approximately \$5,000. This particular one was paid by teamsters, but I understand that Mr. Louis was supposed to have given a \$20 bill to one of the men at the airport in payment for it, \$23.16 bill, and he gave a \$20 bill to him, I understand.

Senator CURTIS. Mr. Bellino, you have had wide experience and training as an auditor, and you have worked on this for weeks and months, but what I want to know is based upon all of the studies that you have given this, was this money that was used at this hotel coming from dues money of members of the teamsters union, or did it come from some private source.

Mr. BELLINO. Insofar as we know, at this point, we have not gone into every local to be able to say that we have examined each check

that came from this local so that we know it came from the teamster funds, and therefore I cannot answer that question definitely.

SEANTOR CURTIS. As a general rule, you know all funds of locals and conferences and other people, that they have, the starting point of those funds are the members of the union?

MR. BELLINO. Yes, sir.

THE CHAIRMAN. I think you should have a breakdown of it there, if you have, of the money that has been paid, by what union or what unit of the teamsters the money was paid.

I think it would make the record complete. Show that, if you have it.

MR. BELLINO. I do not have it, but we can get it for you.

THE CHAIRMAN. I think you should get it insofar as you can.

MR. BELLINO. Yes, sir.

THE CHAIRMAN. Are there any further questions from Mr. Bellino? Do you have the capitulation of what you have read from?

Well, all right. You may stand aside.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

SENATOR GOLDWATER. Mr. Hoffa, yesterday you and I were discussing the dangers of the abuse of power by union officials, that the power is vested in them that they could misuse, if they wanted to. I want to get pretty close to your home and discuss what I think might be an abuse of that power. If I have heard that it is and I am wrong, I would like you to put me wrong. I read in the morning paper that a judge in Detroit ruled that there is nothing he could do in an injunctive way about the current strike that exists against the three big Detroit papers. That further carries out what Senator Ives and I have found out, and Senator McNamara, on the Labor Committee, that there is a void there.

I understand that your union is supporting the strike of the International Mailers Union by refusing to cross the picket lines to deliver papers, is that correct?

MR. HOFFA. May I answer it the way you have asked it, sir? You have asked it in series. May I answer it the way you asked it?

SENATOR GOLDWATER. The first was not a question. It was more or less of a statement.

MR. HOFFA. All right.

SENATOR GOLDWATER. The thing I am interested in is if your union is supporting this strike in Detroit by refusing to cross the picket lines.

MR. HOFFA. Our drivers themselves have decided for themselves that they are not desirous of working while there is a picket line at the place of business of one newspaper in Detroit. The other 2 newspapers voluntarily closed down in conjunction, and with an understanding of the other 2 newspapers, where we have been trying almost around the clock to get the dispute settled, and have pleaded with the 2 newspapers that are not involved in the dispute to go back to work and publish a newspaper and they should publish it, and allow our members and the trade members to work.

But they claim that they have an agreement between the 3 newspapers which prohibits the 2 newspapers that are not affected by a strike from operating while the third newspaper has a problem.

Therefore, it is not our situation that is creating the strike of the newspapers, but the fact that they have an alliance amongst themselves that when one has trouble they all have trouble. They have now locked out all the trades, including the drivers.

Senator GOLDWATER. Mr. Joe Prebenda's name came into this last discussion. Is he one of your officials?

Mr. HOFFA. Joe Prebenda is an official of the newspaper drivers unions, sir.

Senator GOLDWATER. Is that one of the teamsters unions?

Mr. HOFFA. Yes.

Senator GOLDWATER. Is he speaking for the teamsters in Detroit in this situation?

Mr. HOFFA. In the newspapers, I believe he is the president of the organization and is speaking for that organization; yes, sir.

Senator GOLDWATER. Let me ask you if you know: Does the International Mailers Union have a contract with the Detroit News?

Mr. HOFFA. I understand they do, sir.

Senator GOLDWATER. They put a picket line up there last Saturday?

Mr. HOFFA. Well, it isn't quite that simple, Senator.

Senator GOLDWATER. The important thing in this question is do they have a contract?

Mr. HOFFA. They do, sir.

Senator GOLDWATER. They have a contract with the Detroit News, the Free Press, and the Times?

Mr. HOFFA. It is my understanding the ITU has the contract.

Senator GOLDWATER. The ITU? I am talking about the IMU.

Mr. HOFFA. Is that the independent?

Senator GOLDWATER. International Mailers Union.

Mr. HOFFA. I do not believe they have a contract, Senator.

Senator GOLDWATER. They do not have a contract with any of the papers?

Mr. HOFFA. I don't believe so.

Senator GOLDWATER. The ITU, the International Typographical Union, does have a contract?

Mr. HOFFA. Yes, sir.

Senator GOLDWATER. So, in effect, you are supporting a strike that has no reason to exist; am I correct in that?

Mr. HOFFA. Senator, with all the problems I have here, I have tried with numerous phone calls to Detroit to adjust the situation in Detroit. At lunchtime I talked to one of the editors, assistant editor, I believe, of one of the largest papers in Detroit in an endeavor to work out a formula to get all the people back to work. They were meeting at 2 o'clock, when I came here, for the purpose of trying to put that formula into operation to settle the dispute.

Senator GOLDWATER. This IMU actually has no contract. They have no reason to strike. You, therefore, have no legal reason or, in fact, no moral reason, I should say, to support them, have you? It would be different if it were the ITU striking because they have a contract.

Mr. HOFFA. Senator, the principle of a picket line, irrespective of whose picket line it is, must be normally taken into consideration by

individual members to decide whether or not they should go through such a picket line.

Senator GOLDWATER. Do you mean to say that if a union wanted to picket X business, and did not have a contract with it, and never approached them for a contract, that they could establish a picket line, and your members would not go through that picket line?

Mr. HOFFA. Of course, Senator, it isn't that simple. I would have to give you the reason why that picket line is there. They fired 86 people, who worked for the particular newspaper. I suggested, as a way of a solution, and I think it is a proper way, that everybody go back to work, the picket line be removed, and that they submit the entire matter to an impartial arbitrator, and everybody work in the meantime, and also that the ITU, who has the contract, be the one who represents the workers for this arbitration in an attempt to settle it, and not the independent union.

The newspapers have rejected, I understand, such a proposal, so I have no answer to the papers or to this senatorial committee as to how to adjust the matter when there is an agreement between non-interested parties and interested parties to lock out the newspaper industry in Detroit.

(At this point, Senator Ives withdrew from the hearing room.)

Senator GOLDWATER. Mr. Hoffa, getting back to Joe Prebenda, he has a son Donald Prebenda?

Mr. HOFFA. Yes, he does.

Senator GOLDWATER. Do you know whether or not he is a lawyer for the IMU?

Mr. HOFFA. I understand he is.

Senator GOLDWATER. He is a lawyer?

Mr. HOFFA. I understand he is.

Senator GOLDWATER. For the union that is causing the picket line?

Mr. HOFFA. I understand he is, sir.

Senator GOLDWATER. Well, now, Mr. Hoffa, I may be wrong in this, but I think that points up one of the things you and I were discussing yesterday, and that is the dangers of restraint of trade. You and I talked about that during the recess.

Mr. HOFFA. That is right.

Senator GOLDWATER. The dangers that are involved in one man or a group of men at the top of the union to stop not only business but, in this case, effectively stop the news of one of the biggest cities in the world.

Getting to the thing we were talking about yesterday, we both recognized that danger. I have always heard you described as a man who is loyal in keeping his word and in keeping his contracts, that the teamsters have always lived up to their contracts.

Do you think that your union or you, or the other officials, are actually living up to your word when you refuse to cross the picket lines of a union that is not in anyway recognized by either the company or the workers? Are you performing your honest duty?

Mr. HOFFA. Senator, there is a provision in the contract that permits the drivers to use their own discretion in regards to whether or not they go through a picket line. So it is not a violation of the contract, sir, for what they are doing.

Senator GOLDWATER. Well, if you wanted to carry that far enough, could you not pretty well close down any business you wanted to by using these same tactics?

Mr. HOFFA. If there was a strike and our drivers recognized the picket line of that strike, I find nothing wrong with the situation.

However, you referred to the fact that they could not get an injunction, which they tried to get. I believe that the judge, Judge Gilmore, made the statement that it was out of his jurisdiction and it was a matter for the National Labor Relations Board to handle.

Senator GOLDWATER. That is right. That has no particular bearing on this. I merely read this in the morning paper, and it reminded me that the strike was going on and something that I wanted to ask you about.

I think, frankly, that if you accept my opinion or not, it is rather unusual to have a strike like this where the ITU is already bargaining for the workers and here is another organization, evidently a competitor to the ITU, wanting to come in and you, in essence or in effect, are helping the IMU get a good foothold where the ITU is already working.

Mr. HOFFA. Of course, that isn't correct, Senator. Under my solution that I proposed, and the business agent and the president, Joe Prebenda has presented to the editors, it gives the ITU, which is the bargaining representative, the right to settle the dispute on the basis of arbitration as their contract calls for, not recognizing the independent union.

Senator GOLDWATER. Paying no attention, then, to the IMU?

Mr. HOFFA. That is correct, sir.

Senator GOLDWATER. Would you not solve the whole thing by allowing your men to go through the picket line of a nonrecognized union?

Mr. HOFFA. Senator, we have not told the drivers not to go through the picket line. They have the privilege and the right as individuals to go through the picket line and go to work, if the company will produce a newspaper.

But I think you overlook the fact that the company will not produce a newspaper for our drivers to deliver until the picket line is removed and the 86 men remained fired. They are the ones that are creating the strike, Senator, not our drivers or not the labor organization.

Senator GOLDWATER. I did not accuse you or your drivers of creating the strike. I think you added fuel to the fire, however.

I want to get into one other thing, because we are just winding up your business connections and I understand we are going to go into another phase of your activities.

Senator McNAMARA. Will the Senator yield before you leave the subject?

Senator GOLDWATER. I will be glad to.

Senator McNAMARA. I am interested because I have gotten a great deal of mail and telegrams on this situation in Detroit.

Do I understand the information you have to be that two-thirds of the stoppage is due to a lockout?

Mr. HOFFA. That is correct, sir.

Senator McNAMARA. On two of the papers. And one of them is due to a strike by a nonrecognized union under the contract?

Mr. HOFFA. Senator, I may say that the Detroit Free Press and the Detroit News, to circumvent the dispute, requested that they have

a right to print a joint newspaper, with the masthead of the Detroit Free Press on it, and the business agent was requested to make deliveries of that paper, which, in effect, circumvented the strike that they have in the Detroit News.

He called me at home and asked me what he should do, and I instructed him to deliver those newspapers, even though it was a joint masthead, which he did.

Unfortunately, the following day, the newspaper owners got together and closed down all three plants, even though we were delivering the papers under a joint masthead.

Senator McNAMARA. Then you state the newspaper publishers are responsible for the failure to produce papers in the city of Detroit and not the unions involved, for two-thirds of the situation?

Mr. HOFFA. Yes. The Times and the Free Press are not involved, sir.

(At this point, Senator Ervin entered the hearing room.)

Senator McNAMARA. You use the initials ITU, which I understand to mean the International Typographical Union.

Mr. HOFFA. That is correct.

Senator McNAMARA. What is the IMU?

Mr. HOFFA. I think it is the International Mailers Union. Isn't it, sir?

Senator GOLDWATER. Yes.

Senator McNAMARA. Would they be a chartered outfit?

Mr. HOFFA. Yes, sir. It is a national organization, a national independent organization.

Senator McNAMARA. Are these the same individuals who formerly were part of the ITU?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. Then these IMU members are people who have long seniority in these jobs, generally speaking?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. Then the only change represented by the IMU and the ITU is there is no new organization as far as the individuals are concerned, but it is just a change in the initials?

Mr. HOFFA. That is correct, sir.

Senator McNAMARA. Then I do not see why you do not have a moral obligation to support them, since these people have a real equity in the newspaper industry.

They have spent their lives in it in many instances, and I think you are absolutely right in giving them support.

Senator GOLDWATER. I am not going to argue with my good friend from Michigan now. We will do it later.

I want to get into one more thing before we go to the next phase.

Senator McNAMARA. I thank you for yielding.

Senator GOLDWATER. I am happy to yield.

During the course of listening to your business transactions and the transactions of others we have had hearings about, but particularly in your case, I am coming to the conclusion that there is nothing in your constitution or in the law to prevent you, your wife or your union, from investing in companies with which you deal as bargaining agents.

It is not illegal, either according to your constitution or according to the law of the State or of the country. I want to ask you this:

Do you think it is morally right for you to do this?

MR. HOFFA. I think it is morally right as long as there are no strings attached to it, nor does it operate to the detriment of the working people who belong to the union.

Senator GOLDWATER. You recognized yesterday, I believe, though I was not here, that it did constitute a conflict of interest?

MR. HOFFA. Yes, sir. I agreed that the ethical practices committee had pointed that out, and that it was my intention to comply with ethical practice in disposing of any holdings that I may have which are in violation of the ethical practice.

Senator GOLDWATER. If you will bear with me, and I apologize to the committee for taking this time, but I think it is important, I want to read out of the AFL-CIO code of ethical practices, what they say about this and I agree with it. I read in part, page 31:

There are principles inherent in the conception of a free, honest, and democratic trade union movement, which, the committee believes, virtually dictate the outlines of any code of ethical practices dealing with union finances.

The first of these principles hardly requires statement. It is simply that a labor union is an organization whose primary function is to improve the wages, hours and working conditions of the employees it represents, through the processes of collective bargaining with the employers. It is not a business enterprise nor an investment company.

Now I will go over to page 33, at the bottom:

Because a union is a union, not a business organization or a trust company, the rules which guide its use and investment of funds are necessarily different. For example, investments by business organizations in other businesses from which they buy or sell, so that the investing business may get favored treatment in its sales or purchases, may be an acceptable business practice; similar investment by a labor union in business enterprises with which it bargains collectively presents serious problems. Such investment is not good practice for a union.

Then down at the bottom of page 34:

Similarly, the business community may not regard it to be a bad business practice for a business enterprise to buy or sell from firms in which the officers of the business have a financial interest. Nor may the business community regard it as bad practice for a business organization to lend money, on adequate security, to members of the organization.

Because the funds of the labor unions are both held in trust for the benefit of its members and are held to further legitimate trade-union purposes, practices which may be acceptable in business organizations, the committee believes should be limited, if not completely eliminated, among labor organizations,

Then, as they list the rules under this particular section which deals with the finances, under No. 3:

Neither the AFL-CIO or any national or international union affiliated with the AFL-CIO should permit any of its funds to be loaned, invested, or otherwise dealt with in a manner which inures to the personal profit or advantage of any officer, representative, or employee of the union.

It goes on to say in paragraph 4:

Neither the AFL-CIO nor any national or international union affiliated with the AFL-CIO should enter into any contracts of purchase or sale or for the rendition of services which will inure to or result in the personal profit or advantage, including gifts of more than nominal value, other than his regular salary or compensation, of any officer, representative, or employees of the union.

And then, No. 5, the final one:

Neither the AFL-CIO nor any national or international union affiliated with the AFL-CIO should invest in or make loans to any business enterprises with which it bargains collectively.

Mr. Hoffa, I wish to ask you one more question and this has to do with the legislative responsibilities of this committee.

In view of the fact that we have found this practice to be prevalent among the unions that we have investigated so far, and because the AFL-CIO rightly recognizes that what might be accepted in the business fields because the funds are funds to be invested and make money from, cannot be accepted in the union field because they are funds that are held in trust, so to speak, for the members, do you think that the Congress would be right in considering legislation that would prohibit the use of dues money that we have found during your case and other cases?

Mr. HOFFA. Senator, I think the ethical practice rules that you have outlined, if taken to the point where they are enforced, you will find no need for any additional laws.

Senator GOLDWATER. You are assuming that they will be enforced?

Mr. HOFFA. I assume they will, sir; yes.

Senator GOLDWATER. Suppose they are not?

Mr. HOFFA. That is a different question. At that time I imagine somebody will have to give a different answer.

Senator GOLDWATER. Do you think that the Congress would be wrong in considering such legislation?

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I would say, sir, that if you pass a law, it ought to cover not only labor organizations, but it also ought to apply to officials of companies, using company funds for the purpose of making a profit for themselves, and give the same coverage to both management and labor.

Senator GOLDWATER. Well, it is a little bit different, for this reason: If you have a partnership, let us say, or a privately run business—if you were running your own business—you have the right to take your funds and invest them as you want to. In a partnership, you can get together with your partner and decide you are going to take money out and invest it. If you have a corporation, you are already protected by corporate laws. So we have this one big field with these vast sums of money that can be used, as we have seen, almost any way that the officials want to use them, moneys that are actually trust moneys of the millions of members of the unions in this country.

It is not so much to work a penalty on the leaders of labor as it is to protect the individual members whose money this really is that I suggest the advisability of the Congress at least considering a law to correct or to prevent these things.

Mr. HOFFA. If it is an equal law, sir, applied to everybody concerned, that is one thing. But if it is a law for penalty purposes, against an organization, it is a different thing. I wouldn't want to be in a position to—

Senator GOLDWATER. I do not suggest a penalty-type law. We already have laws on our books to take care of the misuse of money in corporations, the stealing of money, if you want to call it that, by one partner from another.

But there are no laws that actually apply to the business of money such as we have heard here.

Mr. HOFFA. Well, certainly I believe that the membership's money is entitled to be fully protected.

Senator GOLDWATER. I am glad to hear you say that.

I have one more thing before you go. We were talking about the fact that you give money to certain gubernatorial campaigns in the years when elections come up, and I think you mentioned Iowa, Kansas, Michigan, and Kentucky.

I want to just again urge you and Mr. Gibbons, if he is listening, to send that list in and, with it, if you would, please, the names of the recipients and the amounts of money that were involved. If it is not asking too much, I would like to have you submit a list of all political donations that you made in the last election.

Could that be done?

Mr. HOFFA. I will attempt to get the information together.

Senator GOLDWATER. I will be very happy to see it.

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Senator Curtis.

Senator CURTIS. Mr. Hoffa, yesterday you said the net worth of the local union to which you belong was about \$1,600,000. Could you give us an estimate of the aggregate net worth of the International Brotherhood of Teamsters? By "aggregate," I mean net worth of the locals in the international and any other units of that organization.

Mr. HOFFA. No, sir. I would be in no position to give you any such figures, because I doubt if they have been ever assembled.

Senator CURTIS. It is sizable, is it not?

Mr. HOFFA. I would think so; yes.

Senator CURTIS. One of the big businesses of the country?

Mr. HOFFA. I believe so.

The CHAIRMAN. Senator Kennedy, take the chair, please.

Senator CURTIS. I feel that way about it. I feel that you represent a rich and powerful segment of our economy, the vested interest, and, therefore, you have certain responsibilities to society.

How is the proper way to organize the unorganized? How do you suggest that they go about it?

(At this point, Senator Ives entered the hearing room.)

Mr. HOFFA. To organize the unorganized?

Senator CURTIS. Yes.

Mr. HOFFA. Well, we have been trying to find the answer to that question since there have been unions in this country, and there doesn't seem to be any accepted answer, standard accepted answer, to organizing unorganized.

Senator CURTIS. I am asking how you say it is proper.

Mr. HOFFA. First of all you must have a staff of organizers who go out in the field and contact the workers.

Senator CURTIS. To contact the workers?

Mr. HOFFA. Yes.

Senator CURTIS. That is the first thing.

Mr. HOFFA. Then you must have a research department that will give you the proper information to use as a basis of discussion with the workers. Then you must have experienced people who can talk to the workers when they are assembled, and show them the reasons

why, and to the best interests, that they should join a labor organization.

Senator CURTIS. Is that the way you do it, is it?

Mr. HOFFA. In some instances. In other instances, you have to do it differently.

Senator CURTIS. I am glad to know you do that in some instances. After you contact the workers, how many of them do you have to get interested before you can proceed with an organization, percentage-wise?

(At this point, Senator McClellan withdrew from the hearing room.)

Mr. HOFFA. Do you mean in regards to negotiating, Senator?

Senator CURTIS. Yes.

Mr. HOFFA. I would say that you could have either a limited number, a majority number, or all, if the employer was willing to recognize the fact that you represented his workers——

Senator CURTIS. Mr. Chairman, I cannot hear what is going on. There is too much noise.

Senator IVES. We will get a little order.

Come to order.

Go ahead.

Senator CURTIS. You can make demands for a contract if you have less than a majority!

Mr. HOFFA. Yes, sir.

Senator CURTIS. Can you make demands for a contract if you do not have any members?

Mr. HOFFA. I do not believe that there is any law that prevents a union from discussing with management a contract in regards to a labor union if they do not have any of the employees in the organization, if it is a voluntary agreement.

Senator CURTIS. Voluntary agreement with whom?

Mr. HOFFA. Management and union representatives.

Senator CURTIS. In other words, you do carry on organizing by negotiations between management and union officials without ever contacting the workers. Is that not true?

Mr. HOFFA. Well, you understand that the contract you will sign with management, and the basis I am talking about, would be for the members only, and that there could be a possibility in that instance that you would not——

Senator CURTIS. You did not answer my question.

Mr. HOFFA. What is that?

Senator CURTIS. The teamsters union does make a practice of it, of expanding their scope by contacting management, and getting management to place their employees in the union, is that not true?

Mr. HOFFA. In some instances where there is an areawide or an industrywide contract, and certain employers are paying less than the prevailing scale, the union may contact the management for——

Senator CURTIS. And the union does that sometimes when the employees do not want to belong to the teamsters union?

Mr. HOFFA. In some instances; yes, sir.

Senator CURTIS. Do you approve of that?

Mr. HOFFA. In some instances; yes, sir.

Senator CURTIS. You approve of an employer signing a contract that puts the workers in a union to which they do not belong, do not wish to belong?

Mr. HOFFA. Senator Curtis, that isn't the question that I answered. I answered you the question that if——

Senator CURTIS. I am asking that question now. Do you approve of that?

Mr. HOFFA. If it is to—if the nonunion people are operating to the detriment of the organized individuals in that particular industry or locality, I believe that the union has a right to use economic strength for the purpose of organizing the unorganized workers and signing contracts so they can adjust the wages of the nonunion people so that the union people will not suffer a reduction in wages.

Senator CURTIS. How do you define a secondary boycott?

Mr. HOFFA. How do I define a secondary boycott?

Senator CURTIS. Yes.

Mr. HOFFA. Well, I don't think that the courts have even defined it, so I couldn't do it, sir.

Senator CURTIS. Well, you put some in operation, do you not?

Mr. HOFFA. What is that?

Senator CURTIS. You put some in operation, do you not?

Mr. HOFFA. I leave that to the lawyers to advise me, Senator.

Senator CURTIS. But the lawyer does not do the work on it?

Mr. HOFFA. No; but he advises me what is right and what is wrong.

Senator CURTIS. What do you do when you engage in a secondary boycott?

Mr. HOFFA. I would have to know the particular set of facts to give you an answer and then consult with the lawyers to give you a proper answer.

Senator CURTIS. Do you approve of a secondary boycott?

Mr. HOFFA. It is according to what you describe as a secondary boycott.

Senator CURTIS. We will give a simple definition. Boycotting a neutral establishment where there is no labor dispute pending.

You approve of that, do you?

Mr. HOFFA. Well, it isn't necessarily a secondary boycott, because if there was a nonunion concern, there would be nothing to stop the union from circulating letters to their members or information asking their members and notifying their members that it was nonunion and asking their members to cooperate in not buying nonunion merchandise until it became union.

Senator CURTIS. I am not talking about those classic cases where you contact workers and try to interest them in union membership. I am talking about it where you go in the front door and you tell management "You put your employees in the teamsters union or you get no business."

Mr. HOFFA. Senator, I don't believe that that happens in any instance that I know of, because I think you would immediately be enjoined on that basis.

Senator CURTIS. Well, eventually you are, but usually they go broke first.

Mr. HOFFA. Not to my knowledge, Senator.

Senator CURTIS. I beg your pardon?

Mr. HOFFA. I know of no instance.

Senator CURTIS. Well, I am coming to them. I have them here in front of me.

You have made the statement yesterday that a group of employers in Nebraska were attempting to drive out and destroy the teamsters union.

Mr. HOFFA. That is right.

Senator CURTIS (reading) :

From a group of employers in your State who have banded together deliberately for the purpose of destroying the teamsters organization—

and so on.

You pay us quite a compliment.

Your one local union is a great little concern with a net worth of \$1,600,000. You do not know what the net worth of the teamsters is. You allege that the latter group of employers are going to drive you out of business.

Now I want to ask you this: Have the teamsters driven anybody out of business?

Mr. HOFFA. Senator, we have driven nobody out of business, but some employers rather than sign a labor contract have seen fit to go out of business.

Senator CURTIS. I do not think that is true.

I have before me a case that I have spent quite a little time on because it arose near my home, the case of the Coffee Transfer Co., of Alma, Nebr., a small town of a couple of thousand people.

They were approached by the teamsters union in August of 1955, and told they must sign a contract for their employees, or that the hot-cargo clause would be enforced, and that no freight would be turned over to them at Omaha. They asked for evidence that the teamsters represented the union, and the teamsters did not have it.

They had 22 drivers.

The teamsters finally showed up with seven cards. The matter went back and forth and the employer asked for an election.

Mr. Kavner, the man whom Mr. Bellino referred to as a mobster and stinkbomb thrower, advised Mr. Coffee in behalf of your union that they would stall the proceedings for at least 6 months. I have a list of all of the proceedings that took place.

Finally, in February of the next year, the National Labor Relations Board completed counting 22 ballots. The union never got a vote, but a month before, Mr. Coffee went out of business. He sold his assets for \$30,000.

Imagine, that a little businessman worth \$30,000 is going to destroy the Teamsters Union.

I have another case, I have the correspondence and the documents on it, but it is summarized in a couple of paragraphs from the Norfolk, Nebr., Daily News, because it refers to the Clark Bros. Transfer there.

This is as of April 6, 1956:

A few days ago, a news item told of the sale of the assets of the trucking firm that Tom Coffee, former State senator, had headed at Alma for 24 years. It was the end of a small trucker. He, like a number of others, had been driven out of business by the teamsters union. To break any organization that will not follow its orders appears to be the settled plan of the union under James Hoffa who is reputed to be the big boss of the union in the Middle West.

This was an old paper, last spring.

The union is now trying to drive out of business a Norfolk trucking firm because it will not coerce its unwilling employees to submit to the union. These are only two.

Then I have a letter from a third small-business man with a handful of employees.

This is the Lyons Transfer Co., of Columbus, Nebr. He says this:

My case was probably somewhat different than Clark Bros., or the Coffee case, on account of the union did not contact either the employees or management before shutting us down. They seemed to have the idea they could force us that way without even asking us if we wanted to belong.

(At this point, Senator McClellan entered the hearing room.)

Senator CURTIS. I have some other cases, but in consideration to the other committee members, I am not going to take all of the time.

Several of them tell a very tragic story of little-business men being put out of business by the teamsters union.

One of them, one of these powerful people that were going to destroy the teamsters union, according to you, says:

My investment of twenty-five to thirty thousand dollars will be a total loss to me.

He also writes, this little-business man that went out of business because you shut his business off—

We had no choice anyway, since our freight had all been shut off in Omaha, and having borrowed every cent for this "dream" of a business of our own.

Imagine those people driving this rich and powerful and vested interest that you represent out of existence. Besides destroying these little-business men, Mr. Hoffa, here is what else is happening. I have a letter from a druggist in a small town of less than 1,000. There is no railroad serving that community anymore. He says:

I have an invoice with the Wyeth Drug Manufacturing Co. in Kansas City, who sent my order from the Kansas City branch on May 29, 1956, via truck—this is June—

So far it has not been received here. It is for medicine that is really needed, and from the salesman's report yesterday, he said it was held up in Omaha due to the fact that the union drivers will not turn freight over to the nonunion lines that serve this part of the country.

Mr. Hoffa, do you know John Bridge?

Mr. HOFFA. Yes, sir; I do.

Senator CURTIS. What is his business?

Mr. HOFFA. I believe he is a consultant to management.

Senator CURTIS. Consultant to management? Who pays him?

Mr. HOFFA. The employers, sir.

Senator CURTIS. Are you prepared to state that he is not paid by the teamsters union, or any part thereof?

Mr. HOFFA. I am willing to state that I never paid John Bridge any money insofar as the teamsters unions are concerned that I can ever recall, and I would want to check the record just so there can be no mistake. But John Bridge has owned transportation companies, all of the years that I have known him, operates an office out of Chicago and represents management, and, to my knowledge, does not represent labor.

Senator CURTIS. I would like to have that question inquired into.

Mr. HOFFA. I think your staff has inquired into it.

Senator CURTIS. You wouldn't go any further than to say that you can't remember whether you paid John Bridge, is that your statement?

Mr. HOFFA. I did not pay John Bridge any money for labor representation.

Senator CURTIS. Have the teamsters ever paid him any money?

Mr. HOFFA. To my knowledge; no.

Senator CURTIS. Do you know him well?

Mr. HOFFA. Yes, sir; for a number of years, sir.

Senator CURTIS. And how often a year do you see him?

Mr. HOFFA. I think I see John about every 90 days or more often, because he represents the employers in these joint area meetings held in Chicago for the purpose of adjusting grievances on the employers' side of the table.

Senator CURTIS. What else does he do?

Mr. HOFFA. I think he is a consultant to management in regards to the economics of their operation.

Senator CURTIS. What services does he render to the union?

Mr. HOFFA. Well, I would say if there is a service he renders, I can't find it, to my knowledge.

Senator CURTIS. He seems to be an important cog in your organizing efforts, isn't he?

Mr. HOFFA. Well, if he is helping us to organize, it must be a strange way.

Senator CURTIS. You know about it, don't you?

Mr. HOFFA. How is he helping us to organize? I would like to have that information.

Senator CURTIS. He is the man that notified all transportation companies not to turn freight over to these little businessmen until they sign up their employees in your union.

Mr. HOFFA. I just stated that Mr. Bridge represents management, and under our contract it is necessary that we contract Mr. Bridge to carry out the provisions of our contract, who, in return, consults with the individuals that he represents, sir.

Senator CURTIS. Sometimes he sends up some very pointed suggestions, too, doesn't he?

Mr. HOFFA. Well, I am not in a position to speak for Mr. Bridge, Senator.

Senator CURTIS. But you do see him often?

Mr. HOFFA. I see him in the regular course of union business.

Senator CURTIS. And you have obtained quite a few new union members because of Mr. Bridge's activities; haven't you?

Mr. HOFFA. Well, Mr. Bridge, to my knowledge, in regards to the Nebraska situation, has endeavored to bring about a peaceful solution to a very unsettled problem.

Senator CURTIS. Unconditional surrender; is that what you mean?

Mr. HOFFA. No, sir. I rather it means—and I may say, sir, when you are through, I have a letter here which explains the necessity of those letters you just read, as to why the teamsters unions have taken the position they have in Nebraska. Whether you want it read here or given to you personally, sir, I will do either one you want, but I think it will answer your questions more complete than I ever can. It was signed by Mr. Alvin Brown, the president of the Small Carriers Association of Nebraska, speaking, again, for an employers' as-

sociation. And wherein they point out, and I don't want to go into a two-page letter and take up the committee's time, so I will submit it to you, where they point out that they refuse to put into effect a negotiated wage increase that is due to their employees because the balance of the industry in their area isn't organized, and that the non-union employer paying a lesser wage than they are paying is putting them out of business, not the union.

I also have here——

Senator CURTIS. Who is that letter from?

Mr. HOFFA. From Alvin Brown, president of the Small Carriers Association of Nebraska, sir.

I have here a breakdown which will not take very long to read, if I may, of five companies.

Senator CURTIS. Who is the letter addressed to?

Mr. HOFFA. Harvey Davis, business agent, local union No. 784, 307½ West Second Street, Grand Island, Nebr., and, likewise, letters were sent to the other outstate local unions on the same basis of refusal to put into effect the negotiated contract increases on the premise that their competition was either not organized or was not paying equivalent to the same wage that they were paying per hour, sir.

Senator CURTIS. That is the gist of the letter?

Mr. HOFFA. Well, it is more than that. They point out, and very bitterly complain, that the union hasn't organized the competition, and it states as follows, if I may:

Reference is made——

Is it all right?

The CHAIRMAN. Do you want the letter read?

Senator CURTIS. He can tell us what it says. It is all right with me. I will accept his summary.

So far you said that some employees complained about their competition.

Mr. HOFFA. Well, I could read one paragraph, and I think it might sum it up, sir.

Reference is made to our conversation of last Wednesday concerning the increase in wages scheduled to become effective August 1, 1957, and as you are aware, the contract under which we are working was signed at a time of great stress, under the assumption of a considerable change in the economic picture in Nebraska. The union had every hope and promise of organizing the trucking industry completely, and in addition planned a general organization of industry in the State. The proposed overall organizational activity has failed, little progress being made in the organizational structure of truckers, and less in roads have been made on general industry in our area. The few truckers which signed were signed to contracts that were very much lower than our contract, and in some instances perpetuated these variances far into the future. Specifically, McAllister has a dock wage of \$1.60 an hour and an over-the-road wage of \$1.85 without mileage pay.

Then they go on to list other carriers.

The action takes in efforts to organize the small carriers in some warehouses as a result of these carriers gathering around them industry, chamber of commerce, and the innumerable one-man truckers in the State, who, by concentrated efforts, defeat rate increases which we have striven to obtain, and this is truly an unholy combination, working against the best interests of organized labor, and certainly against the best interest of the organized trucker in the State. It is unfortunate that this combination has received great public sympathy. Ever-increasing costs, other than those of labor, are well known to your organization, as they reflect in the cost of living.

And I won't go into the reading of all of that, because I don't want to take the time.

Senator CURTIS. I understand the letter, but it does not support your charge that anybody is organized to destroy the teamsters union.

Mr. HOFFA. It is right here. I just read you a paragraph.

Senator CURTIS. There is nothing that you have read, and I don't want to take any more time, that you have read or summarized that points to that at all. It is a complaint of one man on behalf of employers that some of his competitors are not paying as much as he is, and that they can't get raises in rates.

Mr. HOFFA. No, sir. It is complaining that the chamber of commerce is spearheading a drive against organized labor, and is pointing out that the organized carrier is being put out of business not by the union but by the chamber of commerce, and a combination of truckers who are nonunion.

That is what it is pointing out.

Senator CURTIS. Well, I still don't think that your gigantic combination is being threatened by these little people who have lost their business and these little communities that have been denied their services by your boycotts.

Mr. HOFFA. Senator, unfortunately, all of the little people in Nebraska make up a part of our international union, and the unfortunate little person, who is likewise losing his job because of unorganized competition, is just as keenly hurt as the person who works for a nonunion company, when that company itself, voluntarily, decides to go out of business, and is not placed out of business by the teamsters union.

(At this point Senator Goldwater withdrew from the hearing room.)

Senator CURTIS. I will ask you one more question.

Do you know of this man Kavner?

Mr. HOFFA. Yes, sir; I know Mr. Richard Kavner.

Senator CURTIS. What position does he hold now?

Mr. HOFFA. A business representative for the central conference. I may say, and I didn't want to raise the question this morning, I may say that the inference that Mr. Bellino placed on Mr. Kavner's reputation cannot be supported by fact, but is an inference that he himself has gathered together from some individual, I do not know who, who is trying to simply make a misstatement of the character of Richard Kavner. I do not believe he has ever been convicted of any crime. I do not believe that anybody can say that Mr. Kavner is anything other than a high-caliber individual.

Senator CURTIS. I am sure he appreciates your character recommendation.

That is all.

Mr. HOFFA. Thank you.

Senator McNAMARA. Mr. Chairman?

The CHAIRMAN. Senator McNamara.

Senator McNAMARA. Did I understand from the letter that you were quoting, that the wage scale of the organized truck drivers is \$1.85 an hour in this situation?

Mr. HOFFA. And I may say, sir, in that instance, it was a 50-cent increase to bring it up to \$1.80, even though the \$1.80 was not the \$2.24

which is the recognized wage scale. But recognizing you cannot bring drivers up from \$1.30 to \$2.24 at one time, we tried to adjust it up gradually.

Senator McNAMARA. This means about \$72 a week for a 40-hour week?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. That is considerably lower than the wage scale existing in the Michigan area?

Mr. HOFFA. It certainly is.

Senator McNAMARA. I don't think it would be a hardship on the industry to pay \$72. It seems to me that is a pretty reasonable rate for truck drivers. I don't think I have heard of anything quite that low for a long time.

Mr. HOFFA. Senator, I may say this is not the normal organized rates. I hope you understand that.

Senator McNAMARA. But you do have an agreement to work with these rates under the circumstances?

Mr. HOFFA. Yes, sir; under the circumstances with these two particular truckers.

Senator McNAMARA. Largely because they are small-business people?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. All right.

Senator MUNDT. Mr. Chairman?

The CHAIRMAN. Senator Mundt.

Senator MUNDT. Mr. Hoffa, turning to a different State and a different time and a different period of your career, let me ask you this: Were you ever involved in strike violence in the city of Flint, Mich., going back perhaps 15 or 20 years?

Mr. HOFFA. I can't recall—I cannot recall being involved in any strike violence in Flint. I can't recall being involved in it.

Senator MUNDT. Do you recall strike violence occurring there—I suppose you probably were perhaps a workingman then, I don't know, or perhaps you were a minor official of the teamsters at that time—in which a Sheriff Wolcott was hit over the head, and if my information is correct, you were on the side of law and order in that particular strike?

Mr. HOFFA. You are talking about the sitdown strike year, I believe. Is that correct?

Senator MUNDT. Yes.

Mr. HOFFA. Well, I was in the city of Flint during the sitdown strikes long before some of the now publicized leaders claimed that they were involved in the organization of workers, and I well recall the sitdown days in Flint when the troops were brought in, when there was a very unrestful situation in Flint. We did attempt at that time to operate our equipment into and out of the city of Flint insofar as other industries, other than those affected by strike.

Senator MUNDT. Were you one of the strikers? Were you one of the teamsters trying to go through the picket line?

Mr. HOFFA. I was representing the teamsters union, not trying to go through the picket line, because I did not believe that the line should be crashed. I was in sympathy with the strikers gaining their point.

However, we saw no reason from stopping all of the trucks from going into Flint, Mich., but we did believe that the trucks should not go where the strike was, but not tie up the entire town as was attempted to do.

Senator MUNDT. You don't know about any personal violence in which you were involved?

Mr. HOFFA. I don't believe that I was involved in any personal violence, sir. Well, I think now I recall that we had a little scuffle to get some of the trucks moving at one particular point. That is a long ways back. I think there was a little scuffle.

Senator MUNDT. How did it happen that you then took what appears to be a different attitude toward a strike line, a picket line, than you now take in connection with the Detroit strike?

Mr. HOFFA. I don't, sir. I said we should respect the picket line and assist the sitdown strikers, but I did not believe that we should keep all the trucks out of Flint in industries where there was no strike. That is the point I want to make.

(At this point, Senator Curtis withdrew from the hearing room.)

Senator MUNDT. In other words, at that time in your career you were not in favor of what Mr. Curtis and you have been talking about as a secondary boycott?

Mr. HOFFA. That was not a secondary boycott. That was a primary strike, sir.

Senator MUNDT. Had the trucks refused to serve the city of Flint there, that would have been a secondary boycott.

Mr. HOFFA. Well, it could have been, but the point was that there was no strike involved, only with the automobile manufacturers and we saw no reason why we should not serve the rest of the city where they were not involved in a strike.

Senator MUNDT. Throughout your career as a member of labor unions, have you always been in the teamsters, or were you once in the UAW-CIO?

Mr. HOFFA. No, sir. I was never in the UAW-CIO. I have been in the teamsters, the Federal labor unions, and an independent union, sir.

Senator MUNDT. I would like to ask you a question now that I asked one of your competitors in the forthcoming election. I am talking to you now as candidate Hoffa instead of witness Hoffa.

The general public, and I assume a great many of the teamsters, are going to be interested in some of your platform policies, your public policies, your labor policies, and public-attitude policies, as the forthcoming international president of the teamsters organization if you are successful in your election.

Basically, do you believe in socialism?

Mr. HOFFA. I positively do not.

Senator MUNDT. Do you believe in our private-enterprise system?

Mr. HOFFA. I certainly do.

Senator MUNDT. Is there some difference in political philosophy between you and some other prominent labor leaders in this country?

Mr. HOFFA. Well, there certainly is, and it is going to remain so.

Senator MUNDT. Do you believe that the laboring man is entitled to have every reasonable safeguard provided for the protection of his welfare and pension funds and any other funds that he pays in as a dues-paying member?

Mr. HOFFA. I have no objection to the regulations necessary to protect his interest.

Senator MUNDT. Any legislation that would do that in a reasonable and responsible manner, you would be inclined to support?

Mr. HOFFA. Reasonable and responsible.

Senator MUNDT. We have had a case—I don't know how closely you have been following hearings—but we had a case, I think, up in New Jersey, where an employer took the money checked off from the union dues-paying members to finance his defunct organization.

So far as this committee could discover, he had not violated any law. I would think you would be inclined to support some legislation which would make that certainly illegal.

The unions themselves could not safeguard themselves against that. It is illegal in California, but it is not in New Jersey.

Mr. HOFFA. I think each one of the instances have to be looked into as to why.

Senator MUNDT. What was that?

Mr. HOFFA. I think each instance of that has to be looked into as why did it happen and how did it happen, sir.

Senator MUNDT. I heard a prominent labor leader on a television program last Sunday, whose name has been associated with you as a possible conferee at least in a council of accomodation, if you reach the top of the labor union, say something to the effect that he did not believe that the interests of labor and management were in the same hat, that they inevitably had conflicting points of view and conflicting interests.

I have heard other labor leaders say that they believe both labor and management as part of our private enterprise system, have interests in common, and that by and large those economic processes which help one help the other.

Would you care to express yourself on that situation?

Mr. HOFFA. Well, I listened to the same individual, and I say that I do not agree with him at all, and I believe that management and labor very definitely must at all times have something in common because one without the other cannot survive.

Senator MUNDT. I agree with you on that statement 100 percent, and am happy to have you tell me that you do not agree with what Mr. Bridges said on that program.

Mr. HOFFA. I don't agree with a lot of things Harry Bridges said on that program.

Senator MUNDT. You may lose him as a conferee if you succeed in amending your constitution the way we were talking about this morning.

Mr. HOFFA. I assure you I never asked him and I will not accept Mr. Harry Bridges into the teamsters union under any circumstances and he has so been told.

Senator MUNDT. Good.

Senator McNAMARA. Mr. Chairman?

The CHAIRMAN. Senator McNamara?

Senator McNAMARA. I think we are talking in vague terms when you endorse or reject socialism. I do not know what it means in the context that it was used here.

Are you talking about a political philosophy or something else?

Mr. HOFFA. I assumed it was political philosophy.

Senator MUNDT. His assumption was correct.

Senator McNAMARA. What was that again?

Senator MUNDT. I say his assumption was correct. I was talking about the same thing.

Mr. HOFFA. I understood, sir.

Senator McNAMARA. I did not think they were an important political party and I do not know why it enters into the affairs of this committee. I thought socialism was pretty well dead.

The CHAIRMAN. Gentlemen, let us get back on the track.

Mr. KENNEDY. Mr. Chairman—

Mr. HOFFA. Mr. Chairman, I wonder if we could have about a 3-minute recess or 5-minute or so?

The CHAIRMAN. A 5-minute recess will be in order.

Mr. HOFFA. Thank you, sir.

(Members of the Select Committee present at the taking of the recess: Senators McClellan, Ives, McNamara, Kennedy, and Mundt.

(Brief recess)

(Members of the Select Committee present at the reconvening of the session: Senators McClellan, Ives, McNamara, Ervin, Kennedy, and Mundt.

The CHAIRMAN. The committee will come to order. It has become apparent that we will not conclude this witness this afternoon. The members of the committee have some other business to look after as soon as we can adjourn.

It will be the Chair's intention, unless there is objection, to run until about 5 o'clock. We will have about 45 minutes. Let us proceed, now and make as much progress as we can.

Mr. KENNEDY. Mr. Hoffa, do you know Johnny Dio?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. How long have you known him?

Mr. HOFFA. I believe since 1952.

Mr. KENNEDY. You met him under what conditions?

Mr. HOFFA. I believe that I met Johnny Dioguardi at the Commodore Hotel of the AFL convention in 1952. That is my best recollection of the first time I met him.

Mr. KENNEDY. What month was that?

Mr. HOFFA. I think it was—I believe November.

Mr. KENNEDY. November of 1952?

Mr. HOFFA. I think it was. I don't want to be held to it, but I think so.

Mr. KENNEDY. Who introduced you to him?

Mr. HOFFA. I believe Tony Doria did.

Mr. KENNEDY. When was the next time you saw him after that?

Mr. HOFFA. I saw him, I believe, in February of 1952, in Miami, Fla.

Mr. KENNEDY. February 1952 or 1953?

Mr. HOFFA. Excuse me. 1953.

Mr. KENNEDY. Were you in touch with him between November of 1952 and February of 1953?

Mr. HOFFA. I don't remember being in touch with him. It is possible I may have been by telephone.

Mr. KENNEDY. In what connection did you see him in Florida?

Mr. HOFFA. In connection with the taxicab organization that the UAW-AFL had going on in New York at that time.

Mr. KENNEDY. And he was down there in Miami?

Mr. HOFFA. We arranged, and I say "we," I arranged, I believe—and I don't want to be held to this, but I am quite sure it is right—I believe that I contacted Doria and had arrangements made for Dio, and I believe Doria was supposed to be there, to come down to Florida to discuss with President Beck the question of the taxicab organization of the UAW in New York City.

Mr. KENNEDY. For what reason was he coming down to Miami to discuss this?

Mr. HOFFA. There had been a discussion with the officials, with some of the officials of our organization, and I believe the UAW officials, for the express purpose of attempting to get them out of the organization of cabdrivers in New York, since the jurisdiction of cabdrivers belonged to the Teamsters organization under our chartered rights.

Mr. KENNEDY. How did you personally become involved in it?

Mr. HOFFA. President Beck requested that I contact Doria, whom I knew, and see whether or not the problem could be worked out. And out of the contact with Doria a meeting was arranged in Florida, to discuss with Mr. Dio, who was the man in charge of the drive, the taxicab question.

Mr. KENNEDY. And you had that discussion down there?

Mr. HOFFA. Yes, we did.

Mr. KENNEDY. Were there representatives from the joint council 16 present?

Mr. HOFFA. Not to my knowledge, no.

Mr. KENNEDY. Was anybody representing the East from the teamsters present?

Mr. HOFFA. I believe that Vice President Hickey was in Miami at that time for one of the same reasons, for other reasons but for that reason, also.

Mr. KENNEDY. Did he attend these meetings with you and Dio?

Mr. HOFFA. The meeting that I arranged was with Dave Beck and Dio to discuss the question of the UAW-AFL getting out of the taxicab organization.

Mr. KENNEDY. Was Mr. Hickey present at that meeting?

Mr. HOFFA. No. Mr. Hickey, later on, I understand, met Mr. Beck the same evening and discussed the question of the New York taxicab industry, also.

Mr. KENNEDY. Who was present at the meeting with you and Mr. Beck and Dio?

Mr. HOFFA. That is all.

Mr. KENNEDY. That is all?

Mr. HOFFA. To my recollection, those were the three that attended the meeting.

Mr. KENNEDY. What position did you take at that time?

Mr. HOFFA. I took the position with President Beck, for our international union, that the taxicab business should be organized, if organized, under the banner of the teamsters union and that the UAW had no right to be into the organizing of the taxicab industry.

Also, we discussed the question of how we would go about bringing in the taxicab organization then existing in the UAW to our organization.

Dio made the statement that he believed it could be worked out, and that the organization could come into the teamsters union.

However, Dave Beck made it plain that he could not and would not issue a charter to Dio.

Mr. KENNEDY. What was your position about when Dave Beck took that position on not issuing a charter to Dio?

(At this point Senator Ervin withdrew from the hearing room.)

Mr. HOFFA. I did not request President Beck to issue the charter to Dio. I was requesting, and continued to request, that a charter be issued to the officers of that particular branch who were cab drivers.

(At this point, Senator Goldwater entered the hearing room.)

Mr. KENNEDY. Who would have headed it up, that organization?

Mr. HOFFA. Well, I don't remember the fellow's name, but I believe there was a president named Norton. If I am wrong, maybe you could help me out. It seems to me I remember a fellow named Norton that headed it up. Who the rest of them were, I can't tell you, but the name Norton seems familiar to me.

Mr. KENNEDY. So the organization of the UAW-AFL would come over into the teamsters and receive a charter, all except with the exception of Johnny Dio?

Mr. HOFFA. That was my recommendation.

Mr. KENNEDY. That was your recommendation?

Mr. HOFFA. That is right.

Mr. KENNEDY. What was Mr. Dio's recommendation?

Mr. HOFFA. Mr. Dio's recommendation at that time was not to give up the organizing of the cab industry.

Mr. KENNEDY. He did not want to give it up?

Mr. HOFFA. No, not at that time.

Mr. KENNEDY. You took the opposite position at that time?

Mr. HOFFA. I took the position that the cab industry came under the jurisdiction of the teamsters.

Mr. KENNEDY. And he wanted to keep it in the UAW-AFL at that time?

Mr. HOFFA. That's right.

Mr. KENNEDY. There would not have been any discussion about the organization coming over if the UAW-AFL did not want to come over, would there, into the teamsters? How were you going to make Mr. Norton president of a teamsters local having a taxicab charter when, evidently, Mr. Dio did not want them to come over?

Mr. HOFFA. That is what the meeting was for, to try and convince the UAW officials that they should not be organizing cabs, and that they should be organized into our international union.

Mr. KENNEDY. Were you able to convince him?

Mr. HOFFA. At that time, no.

Mr. KENNEDY. You had meetings with him subsequently?

Mr. HOFFA. Yes. There was a meeting, I believe, and there is disagreement as to where the meeting was held. I tried to check the records and I can't check the records or the time, but I can only talk now about meetings.

It seems to me there was two additional meetings held in New York, one meeting held on the question of discussing the charter and who should get the charter in New York. I still maintained that the present cab organization should have a right to get the charter.

Mr. KENNEDY. That was Dio's organization to get the charter?

Mr. HOFFA. Not Dio's organization, but the UAW—

Mr. KENNEDY. AFL?

Mr. HOFFA. UAW-AFL—come into that division. Come into the teamsters union.

Mr. KENNEDY. That is what you were arguing in favor of?

Mr. HOFFA. That is correct.

Mr. KENNEDY. And there were those who were opposed to it?

Mr. HOFFA. There were individuals who were opposed to it and believed that we should establish a new taxicab charter and attempt to organize cabdrivers with individuals who I believed would not be able to do the job.

Then there was another meeting, and I can't recall this date either—

Mr. KENNEDY. This was the second meeting?

Mr. HOFFA. No, this would be the third one. One in Miami, one in New York and the one I am talking about now.

Mr. KENNEDY. Let us go back to New York. Who attended that meeting?

Mr. HOFFA. Well, now, I can't tell you offhand, except what I have read who say they were there. I don't recall exactly who was at the meeting, but I know that I was there at a meeting. Where it was held, I don't know.

I was there discussing this problem and I have been told that other individuals were there, but I would not want to make a statement under oath that they were there.

Mr. KENNEDY. Is that the meeting that Mr. Hickey referred to in his testimony?

Mr. HOFFA. Yes.

Mr. KENNEDY. That is the one he said he was present at?

Mr. HOFFA. That is right.

Mr. KENNEDY. And Dio was present and you were present?

Mr. HOFFA. And Doria, Norton, Beck and Hoffa. I think that is what Hickey testified to, but I can't place the date, nor can I figure out the place where we held the meeting. I know what he said, but I can't place it.

Mr. KENNEDY. What position did you take at that meeting?

Mr. HOFFA. I still took the position that the present officers of that organization, if they were going to bring their membership into our organization, should come along to our organization, since they had been elected by the rank-and-file members.

It was disagreed by individuals and was left in the hands, naturally, of the general president, who was the final authority on the question.

Mr. KENNEDY. Did you take the position at that meeting that Mr. Dio should come into the teamsters union?

Mr. HOFFA. It was not a question at that meeting of Mr. Dio coming in because Mr. Beck had made it plain at a meeting that I was at that Mr. Dio could not come in.

Mr. KENNEDY. Could you tell me if at this meeting, the meeting in New York, you argued for the position that Mr. Dio should come into the teamsters union?

Mr. HOFFA. I don't believe that I argued any such a position. I understand that some have interpreted it as such, but it is my recollection that I argued as I did in Florida, that if we were going to launch a successful cab organization, that we should take in the executive board of the then existing union and issue a charter to those individuals.

Mr. KENNEDY. That would be with the exception of Johnny Dio?

Mr. HOFFA. Dio, I do not believe was an officer of that organization.

Mr. KENNEDY. Then he would not have had any part in that at all?

Mr. HOFFA. Well, I don't believe that Dio came under discussion, to my recollection, of coming in after the meeting in Miami, where Dave made it clear that Johnny Dio could not come into the teamsters union.

Mr. KENNEDY. And you never argued for Dio coming into the teamsters organization after that time?

Mr. HOFFA. Not to my recollection. There seems to be a difference of opinion, but not to my recollection.

Mr. KENNEDY. Mr. Hickey's testimony before the committee was that you argued very much in favor of Dio receiving a charter from the teamsters union at this meeting in New York.

Mr. HOFFA. Well, as I say, there can be a misconstruction of my argument because I was arguing that the then present officers of that organization bring their membership into the teamsters union.

I do not recall making a statement concerning Dio as such. I don't recall it.

(At this point, Senator Ervin entered the hearing room.)

Mr. KENNEDY. In that connection, he was business manager of the taxicab local at the time and in that position had the most important position in the local.

Mr. HOFFA. But I don't believe he was an officer.

Mr. KENNEDY. No, not an officer, but he was business manager, and he is the one, I expect you know, that was conducting the drive on the taxicab drivers.

Mr. HOFFA. He was in charge, I understand, of all of the UAW affairs in New York, was he not?

Mr. KENNEDY. Yes, and specifically in local 102. He was present at this meeting, was he not, in New York?

Mr. HOFFA. I have been told so. I don't recall him being there.

Mr. KENNEDY. What position was he taking during this period of time, coming from the meeting that you had down in Miami up until the meeting that you had in New York?

What position was he taking as far as this organization coming into the teamsters?

Mr. HOFFA. I think that Doria at that time was doing most of the talking.

Mr. KENNEDY. What position was Mr. Dio taking?

Mr. HOFFA. I don't believe that Dio expressed an opinion in that meeting, to my recollection. I think Doria did most of the talking during the meeting concerning the question of the cab union coming into our organization as against the establishment of the charter.

Mr. KENNEDY. What position did he take?

Mr. HOFFA. Doria took the position, if I recall correctly, and it is all by recollection, that if we were going organize cab drivers, that that current organization should be the one that should carry on the organizational work. That is the best of my recollection.

Mr. KENNEDY. Were you discussing this matter with Dio during this period of time?

Mr. HOFFA. If they were in the room as claimed, and I don't place the meeting, as to what hotel, he would have been able to hear the conversation. I don't know whether or not he participated in the discussion or not. I don't recall that.

Mr. KENNEDY. Were you having any other meetings with him or talking to him about this matter at any other time?

Mr. HOFFA. It is possible I could have. I don't remember.

Mr. KENNEDY. What position was he taking?

Mr. HOFFA. As I said, Dio didn't see any reason to get out of the organizing of the cab industry in New York.

Mr. KENNEDY. He was opposed to this plan?

Mr. HOFFA. He wanted to organize them in the UAW-AFL, as he had originally been trying to do, if I recall it correctly.

Mr. KENNEDY. So he was opposed to this, and Mr. Doria had what position on it?

Mr. HOFFA. Doria's position, if I recall correctly, and I say it is very vague in my memory, was that he recognized that they were out of their jurisdiction, and that if we were going to take the organization over, we ought to take over the board of the then existing union.

I think later on some other things developed also.

(At this point, Senator Goldwater withdrew from the hearing room.)

Mr. KENNEDY. Why didn't Mr. Dave Beck want Johnny Dio in the teamsters?

Mr. HOFFA. Mr. Dave Beck did not say he wanted Johnny Dio in the teamsters.

Mr. KENNEDY. No. Why did he not want Johnny Dio in the teamsters?

Mr. HOFFA. He just made a simple statement. He did not believe that he should have John Dio in the teamsters union for the cab-drivers.

Mr. KENNEDY. For what reason?

Mr. HOFFA. He didn't say. He just made a statement, Dave isn't in the habit of telling us why he thinks, and that is it. He is president.

Mr. KENNEDY. Didn't you inquire into it at all?

Mr. HOFFA. Not with Dave.

Mr. KENNEDY. You did not. You weren't interested in it?

Mr. HOFFA. It wasn't a question of that. He was president, and had the authority to make the decision.

Mr. KENNEDY. Was Mr. Dio upset about hearing that he wasn't acceptable to the teamsters?

Mr. HOFFA. Well, at that time, when Dave told him that, there wasn't any agreement to have the cab union come into ours.

Mr. KENNEDY. But, subsequently. Did you ever have any discussions with Mr. Beck after that, after the meeting in Miami? Did you ever have any discussions with Mr. Beck regarding Dio coming into the teamsters?

Mr. HOFFA. I cannot recall any such discussions. I can't recall them offhand.

Mr. KENNEDY. Did you ever have any conversations with Dio about his coming into the teamsters?

Mr. HOFFA. I don't know whether I did or not. I was trying to get the cab union into the teamsters, and when Dave had said John could not come in, then I don't see any reason why I would have had a discussion. I can't recall one.

Mr. KENNEDY. If Doria was prepared to come into the union, prepared to come into the teamsters, to bring this local into the teamsters, and Dio was opposed to it—is that right?

Mr. HOFFA. I don't think that either one of them actually wanted to give up the drive, but I think that Doria recognized that under the AFL grant of jurisdiction, that he was outside of his jurisdictional right in organizing cabdrivers.

Mr. KENNEDY. At this period of time we are talking about, the first several months of 1953, were the teamsters themselves active in the taxicab field?

Mr. HOFFA. I couldn't tell you. I don't know.

Mr. KENNEDY. You don't remember that?

Mr. HOFFA. No, I don't. I think we got interested later on, but I do not—wait a minute. 1953?

I could tell you in a minute.

Mr. KENNEDY. Would you find out?

I think I have some information here. It was February 21, 1953, an article in the New York Times, and it quotes Mr. Beck saying, and it talks about the taxicab organization drive——

Mr. HOFFA. When was the charter issued?

Mr. KENNEDY. Excuse me?

Mr. HOFFA. It is not a charter.

Mr. KENNEDY. It is not a charter. It says:

The other union, the International Brotherhood of Teamsters, headed by Dave Beck, casts coveted eyes on the New York taxicab industry. Mr. Beck disclosed that his organization several weeks ago started a campaign, and that Tom Hickey, international vice president is conducting the drive.

So, evidently, there was some activity amongst the teamsters in New York, amongst the taxicab drivers, is that right, with the taxicab drivers?

Mr. HOFFA. I would like to try and check something before I give you an answer, if I may.

Mr. KENNEDY. I don't think the charter, as far as the taxicab charter, was issued until May, but I think the records will show they were active in February, March, and April. The charter wasn't issued until May 22, 1953.

Mr. HOFFA. Then I couldn't answer your question properly.

Mr. KENNEDY. Did you have any conversations with Dave Beck regarding the taxicab drive of the teamsters in New York?

Mr. HOFFA. Later on; yes.

Mr. KENNEDY. Did you have any conversations with him, during this February-March period, that that drive should be called off and Johnny Dio should be allowed to continue?

Mr. HOFFA. I don't recall any discussion of the drive. I think what was attempted to be carried out at that time was a solution between the two organizations rather than to have a rival organization to our organization organizing cabdrivers.

Mr. KENNEDY. Were you having conferences and conversations with Mr. Dio during this period of time?

Mr. HOFFA. I don't recall.

Mr. KENNEDY. You don't remember that?

Mr. HOFFA. I don't know why—well, I know this, that we had two meetings that I can vaguely recall in New York. One was the one,

probably, that Hickey talked about, and there was a second one in the joint council office. I have checked the best I can with the individuals who I thought were at that meeting. So, again without being held to being exactly correct as to those people who were there, I believe that Mohr, myself, Kaplan, went to Mr. Lacey's office to endeavor to get Lacey to help in the organizing drive of the cabdrivers. I believe we did.

Mr. KENNEDY. But you weren't during this period of time supporting the UAW and Johnny Dio against the teamsters organization drive?

Mr. HOFFA. I don't think we had a cabdrivers union.

Mr. KENNEDY. Not a union, but their activity in New York.

Mr. HOFFA. I frankly cannot recall any activity.

I would say this to you: that it is very peculiar if we did. I have here the per capita tax as being paid by the current cab union, and I think it reflects around 138 members as of this day paying actual per capita tax.

Mr. KENNEDY. Mr. Chairman, could we put some other evidence in that we have in connection with this?

The CHAIRMAN. Let me ask the witness 1 or 2 questions.

Did you have telephone conversations with Mr. Dio regarding this matter?

Mr. HOFFA. I could have had, sir.

The CHAIRMAN. Would you recall?

Mr. HOFFA. No, sir; I honestly don't.

The CHAIRMAN. I believe we are advised that we have some telephone conversations between you.

This recording you have now is covered by the court order that has been previously placed in the record?

Mr. KENNEDY. Yes. And there will be two calls, Mr. Chairman, that will be in connection with Mr. Hoffa's testimony so far this afternoon regarding his conversations with Mr. Beck and his conversations with Mr. Dio regarding this drive.

The CHAIRMAN. They relate to the subject-matter?

Mr. KENNEDY. So far discussed.

Mr. HOFFA. You have not asked me whether or not I had a conversation with Mr. Beck on the phone about it. Do you want to know whether I did or not, Mr. Chairman?

The CHAIRMAN. I will be glad to.

Mr. HOFFA. I probably had telephone conversations with Mr. Beck on the phone after the meeting in Miami. What was said in those telephone conversations, I do not recall, nor do I recall what was said in the telephone conversations with Dio.

Mr. KENNEDY. I think that the record speaks for itself as to what you said about your conversations with Mr. Beck and your conversations with Mr. Dio and your position on this whole matter during this period of time.

The CHAIRMAN. They will probably help the witness to refresh his memory or to confirm what the witness may have already testified to. Are you ready to play the records?

Mr. FITZGERALD. If you are going to play a recording, may I be heard, briefly, Your Honor?

The CHAIRMAN. Yes.

Mr. FITZGERALD. Mr. Chairman, I have this set out so that I can do it concisely and not waste words and not waste the time of the committee.

The CHAIRMAN. Very good.

Mr. FITZGERALD. Under title 47, section 605 of the United States Code, Annotated, the interception and divulgence of telephone communications is unlawful. Any person who does not intercept but nevertheless divulges or publishes or uses the existence, contents, substance, purport, or effect of an intercepted communication, also violates such statute. This statute contains no exclusion in favor of the State of New York or in favor of any Federal employee, officer, or Member of Congress, or even the Senate of the United States or committee thereof. Therefore, any divulging or use of communications which may have been intercepted, even under State law, is in direct violation of the statute. We therefore feel that this committee and its staff should not, in the carrying out of its lawful purpose, even remotely be a party to a possible violation of a Federal statute. We therefore object to such use insofar as they affect or relate to Mr. Hoffa.

Now, I realize that the use in a court of certain recordings obtained from a telephonic interception, may be used as evidence. That is one thing.

As to whether or not it has been a violation of the statute by Federal agents or anyone else is certainly another thing.

We therefore ask that the committee be polled on this subject before the tap or the recording from the so-called tap or interception be used.

I think, Mr. Chairman, that this does raise a serious legal question, and I think that it concerns not only the authority of the committee, but the right of the witness, and substantial justice itself. I think before proceeding along those lines we should equate the interest of all parties concerned, and that the matter should not be summarily disposed of.

The CHAIRMAN. The committee has had this question before it since these hearings began. I have ruled that these taps were obtained not by a Federal agency, but obtained in the State of New York, where the obtaining of them was legal, under the order of a court of competent jurisdiction, and, therefore, are legal testimony in the State of New York and they would be legal before this committee because we are particularly investigating the New York area.

There is a late decision with which I am sure you are familiar. It is the decision decided on July 22, 1957, in the case of the United States of America against Frank Costello. That is the Second Court of Appeals, Second Circuit Court of Appeals.

Among other things they say, and I quote, just for the record at this point:

We have also considered whether the decision can be sustained on the ground that, as shown by the record, the Government's evidence was by and large inadmissible. We hold that no such demonstration was made. Wiretapping in 1925 and 1926 allegedly produced the defendant's prosecution in later years. The proof of such wiretapping was spread on the public record at the open trial for bootlegging. We do not construe section 605 of the Communications Act of 1934, 47 United States Code 605, to render it a crime to republish information which was lawfully intercepted and divulged once before prior to that act's passage. The fruit of any 1925-26 taps is admissible. The wiretaps in 1943 were done by State officers without FBI connivance. They are admissible in a Federal court, and the fruit of them, if similarly obtained, without Federal connivance, is also admissible.

The highest authority as of now says that they are legal.

Mr. FITZGERALD. May I address the Chair briefly again?

The CHAIRMAN. Yes.

Mr. FITZGERALD. I notice particularly that the taps in the Costello case, which I am familiar with, in that case the Second Circuit Court of Appeals does specify that the taps and the recordings were obtained prior to the passage of the act. I don't think there is much change in the ruling as far as the use in evidence in a court proceeding is concerned, Mr. Chairman, because what they are doing is applying the old law of search and seizure that they had in prohibition days, where, if Federal officers didn't connive in the obtaining of the evidence by an illegal search, it would be admissible in a Federal court. But I think we have a different situation here with respect to its admissibility or its divulging, publishing, or use before a senatorial committee.

In the case of a man being tried or accused with crime, there are certain rules laid down, and those rules, every decision that we have been able to find, cover the use of such evidence regardless of how obtained, as long as it was obtained without any illegality on the part of the Federal Government, covers the use of evidence in a specific trial where a specific defendant is charged with a violation of a specific law.

But we have a different situation here. We are not cloaked in this inquiry, and I say this respectfully because the committee and the chairman have been very courteous to us, we are not cloaked in this inquiry with the protection that is thrown around a defendant in the ordinary criminal trial.

We are not held down to any strict rules of evidence and neither is the general counsel of the committee.

So for that reason, I say that the applicability of some of those decisions to the use of a wiretap, either legally or illegally placed upon a line, and the use of the information obtained by that tap, that they do not apply to the situation at hand.

Therefore, I think that as far as this witness is concerned, I cannot help but insist upon this for the benefit of protecting his legal rights before the committee.

The CHAIRMAN. The Chair calls to your attention, again, I believe, the Communications Act was passed in 1934. This decision was just of a month or two ago. It says, "The fruit of any 1925-26 taps is admissible" and that was before the act, and then it proceeds to say that "Wiretaps in 1943" which were subsequent to the act counsel relies on, "were done by State officers without FBI connivance."

As far as I know, there have been no FBI connections in any way whatsoever, or of any other agent or officers of the Federal Government.

They say, "If they are done by State officers without FBI connivance, they are admissible in a Federal court."

Well, I would assume that if they are admissible in a Federal court, they would be admissible even if we applied the strict rules of evidence in a senatorial hearing.

"And the fruit of them, if similarly obtained, without Federal connivance, is also admissible," and it cites another case in the same circuit of May 6, 1957.

We have held heretofore that they are admissible.

We are not taking any course of action here with respect to your client that we have not taken with respect to other witnesses.

Again, it should be remembered that hearsay evidence may be admissible in any court of law. Here we take a great deal of hearsay evidence under oath where it gives us information that might be helpful.

Here we are not trying anybody for crime. If you get hearsay evidence, you can check against it, and if it proves to be true, you save the expense of bringing additional witnesses as you might have to do where you were prosecuting someone for crime.

The Chair will have to rule that these taps are admissible under the previous rulings of this committee and, as we honestly believe, under the law as it exists today as interpreted by the highest court in the circuit in the State where the taps were obtained.

Mr. FITZGERALD. May I impose on you for one more word?

Again I say I think you pointed up the question that I raise here, particularly, that those decisions apply to the use in a court of law, wherein the branch or the Government of the United States is performing a judicial function. Here you are performing a legislative function, and to your legislative function is attached certain powers of investigation, certain powers of inquiry, which I think is good.

But I say, Mr. Chairman, that where we go to the point where you, without a specific exclusion of a governmental agency, whether it is State or Federal, where we reach a point where we run straight up against the prohibition of section 605 of the United States Code, I say, Mr. Chairman, that I think we seriously affect the rights of substantial justice of a person who appears before this committee and who subjects himself to questioning, fully answers the subpoena, and makes a complete, honest disclosure of everything to this committee.

Now, if Mr. Hoffa was in the position of a man who, for the past 2 days, had taken the fifth amendment, or attempted to hide something, we would be in a different situation. But I think that by and large Mr. Hoffa has answered every question propounded to him by everybody. He, without any reservation, has given a full disclosure of his personal finances. He has made a complete disclosure of his philosophy as a union leader and his political philosophy.

I think in view of that that this committee should take that into consideration. I think he should be accorded the right here of having this particular manner of inquiry, that is, by the use of these taps, excluded.

I think the chairman for the opportunity of putting this on the record. I don't want to impose upon you any further.

The CHAIRMAN. Thank you, sir.

The Chair, of course, has tried to be indulgent so that you could get your position clearly in the record.

(At this point, Senator Kennedy withdrew from the hearing room.)

The CHAIRMAN. All right.

The objection is overruled.

We shall proceed. Let us proceed.

Mr. KENNEDY. Mr. Chairman, I would like to say before this starts, that Mr. Hoffa's testimony was that the decision was made in February by Mr. Beck, that Mr. Dio would not be allowed into the union, into the teamsters union, and that Mr. Hoffa, after he heard this decision

by Mr. Beck, did not appeal it, nor did he attempt to bring Mr. Dio into the teamsters union.

Also, we had some testimony on the activity of the teamsters union itself in New York in the taxicab drive.

The CHAIRMAN. All right.

Mr. HOFFA. Let the record show that I said it was to the best of my recollection.

The CHAIRMAN. Yes, the record shows that.

Mr. KENNEDY. I am not sure that it said that, but the record speaks for itself.

The CHAIRMAN. Well, he testified. That is the Chair's recollection. He said to the best of his recollection.

It may not have been in connection with this identical thing, but we will determine that.

Proceed.

(Transcript of telephone conversation between Johnny Dio and Jimmy Hoffa of February 26, 1953 follows:)

WOMAN'S VOICE. Just a moment * * * Call LUCAS 3757.

SECOND WOMAN'S VOICE. Lucas 3757?

WOMAN'S VOICE. That's right.

SECOND WOMAN'S VOICE. Thank you.

WOMAN'S VOICE. Operator, will you call me when you get that number?

JOHNNY DIO. This is Johnny again.

JIMMY HOFFA. Yeah, Johnny.

DIO. I'm a pain in the ——— it seems.

HOFFA. No, John; why?

DIO. I'll tell you what happened. Here we got a couple of garages that are—that we already have pending elections——

HOFFA. Yeah?

DIO. And some of these guys—hello?

HOFFA. Yeah, Johnny?

DIO. And some of these guys, ah——

(Voice: You'll have to wait.)

DIO. Will you get off my line, ——— ! Hello——

HOFFA. Yeah, John?

DIO. And some of my guys are over there, you know, talking it up about the pending elections——

HOFFA. Yeah?

DIO. And in the meantime some of these teamster guys called up Mr. John Strong and—ah, John Strong says that 102 has been wiped off the map——

HOFFA. Yeah.

DIO. And for them to carry on——

HOFFA. Yeah.

DIO. And here's the garages particularly that we got 'em all signed up, that we already had the hearings with them.

HOFFA. Yeah.

DIO. So, now, what do you suggest?

HOFFA. Well, John, I better get a hold of Dave Beck.

DIO. Uhuh.

HOFFA. Dave will be in Seattle sometime tomorrow; I'll call Dave and I'll get New York something in New York State now.

DIO. Uhuh. All right, and I'll probably—will you be in on Saturday?

HOFFA. Ah—I—I'm—I've been sick, John; I got a terrific——cold; I've been taking shots of penicillin——

DIO. You gonna stay home?

HOFFA. Well, I'm gonna try and stay in bed if I can.

DIO. Well, all right, so, ah, if you could stay in bed—if I won't be disturbing you, I could come and bother you from your bedside and then come back.

HOFFA. Okay, either way.

DIO. All right?

HOFFA. Right.

DIO. So I'll get the number off Tom——

HOFFA. Yeah.

DIO. I invited Tom for dinner tonight so—ah,

HOFFA. I'll be in the office tomorrow.

DIO. You'll be in the office tomorrow.

HOFFA. I'll be home Saturday; I'm going to get—try and stay in that be—

DIO. I think you should and if you could stay out of the office tomorrow stay home.

HOFFA. I can't do that.

DIO. You can't?

HOFFA. I gotta clean up my mail.

DIO. You're worse than I am.

HOFFA. Right.

DIO. All right then, Jim; I just thought I'd let you know about it.

HOFFA. Fine, John.

DIO. So I could clear the minds of my guys over here.

HOFFA. You know, I'm going to be in Washington on the fourth—

DIO. On the fourth?

HOFFA. Yeah.

DIO. Well, all right then, maybe I'm better off waiting until then.

HOFFA. I'm going to be in Washington; I'll come in the night of the 3d if you want and we can sit down in Washington the night of the 3d or the evening of the 4th—

DIO. Swell, so I could meet you in Washington on the 3d.

HOFFA. Right.

DIO. All right, but in the meantime I'll annoy you on the telephone if it is not too much trouble.

HOFFA. That's O. K., Jack.

DIO. All right?

HOFFA. Right.

DIO. O. K.

HOFFA. Right, Johnny.

DIO. Right. Bye, bye.

The CHAIRMAN. Now the question is, Mr. Hoffa, do you recognize your voice and that of Mr. Dio's in this conversation?

Mr. HOFFA. Yes, sir, I recognize it. I believe that is our voices.

The CHAIRMAN. Does this refresh your memory about some of your conversations with Mr. Dio?

Mr. HOFFA. It refreshes my memory to some conversations I had with Dio, where I said I may have had some phone calls, but I do not connect it with the question that Mr. Kennedy asked me, Mr. Chairman.

The CHAIRMAN. Let the record show, and we may have to put on proof of this, that this recording is dated February 26, 1953. For your information, we can firm up the record on it later. I believe you have a copy there that shows you. It is February 26, 1953.

(At this point, Senator Curtis entered the hearing room.)

Mr. HOFFA. What events is this attributed to? If it is related to certain events, maybe I can clear up the record.

The CHAIRMAN. After having heard it, I wondered if you could recall now what it relates to?

Mr. HOFFA. Well, apparently it is a conversation.

Did you say the February 26 date is the right date, sir?

The CHAIRMAN. Well, I have not put on the testimony yet, but I will firm it up, if you like.

Mr. KENNEDY. It is February 26.

Mr. FITZGERALD. When you say firm it up, do you mean by testimony? Of the man who listened?

The CHAIRMAN. I can put on the testimony of the witness here who has heretofore been able to testify—

Mr. FITZGERALD. There is no necessity as far as we are concerned to do that.

The CHAIRMAN. All right.

Mr. HOFFA. As long as I can get the date clear, sir.

The CHAIRMAN. We will agree that the date is correct.

You may proceed.

Mr. FITZGERALD. May I ask a question? Mr. Kennedy could answer this. Is this an interstate call? Is it a call between New York and Detroit or some city like that?

Mr. KENNEDY. Yes.

Mr. FITZGERALD. That is all. There is no need of—

The CHAIRMAN. All right.

Mr. HOFFA. Mr. Chairman, apparently the question asked by Mr. Kennedy was did I know there was an organizational drive going on in New York by other unions. I think that is what it must relate to, the best I can figure out.

The CHAIRMAN. Mr. Kennedy, you proceed to develop the connection and whatever it relates to, if you have it.

You may do so by interrogating the witness.

Mr. KENNEDY. Mr. Dio—this was on February 26, 1953. Could you tell the committee why Dio in New York City was reporting to you in Detroit about the taxicab drive in New York City as far as local 102 is concerned?

Mr. HOFFA. Well, I don't deny the fact. I don't think I stated that fact, that I was unaware that Dio was conducting a cab organizational drive in the UAW-AFL. That was the purpose of the meeting in Florida, to try and get the UAW out of the organizing status of UAW-AFL.

Mr. KENNEDY. Who was Mr. John Strong at that time?

Mr. HOFFA. I believe John is president of 807 or 707. I think it is 807.

Mr. KENNEDY. It would appear that 807 was conducting a taxicab drive itself?

Mr. HOFFA. If they were, I would have no knowledge of it, because 807, I believe, is a freight local union.

Mr. KENNEDY. Mr. Dio told you that at that time?

Mr. HOFFA. Told me what? He said garages.

Mr. KENNEDY. Excuse me?

Mr. HOFFA. He said garages.

Mr. KENNEDY. Well, garages. That is taxicabs.

Mr. HOFFA. Not necessarily. It could be a garage of a truck company. It could be a garage of almost anything.

Mr. KENNEDY. Isn't that common nomenclature for taxicab organizations, that they are attached to certain garages?

Mr. HOFFA. So it is with trucks.

Mr. KENNEDY. But wasn't Mr. Dio at this time conducting the taxicab drive?

You had conversations with him about that.

Mr. HOFFA. There are also certain other organizing aspects of our organization, too.

Mr. KENNEDY. It says local 102 at that time was conducting a drive on taxicabs. I draw your attention to the bottom of page 1:

John Strong says that 102 has been wiped off the map.

There is no question there but that that was the taxicab drive.

Mr. HOFFA. I don't think that was a UAW local.

Mr. KENNEDY. 102?

Mr. HOFFA. As I recall, it was 201. Well, I don't recall. It is a long time back, and it is a hazy recollection I have.

Mr. KENNEDY. He reports that to you about the teamster interest, he reports that to you and complains about it, the fact that John Strong said that local 102 has been wiped off the map, and you say, "Well, John, I better get hold of Dave Beck."

Why were you getting ahold of Dave Beck on that matter?

Mr. HOFFA. We discussed in Florida, as I told you, and according to the record that I have here, which was produced by the international office, and I assume it to be correct, subject to checking, the meeting must have been February 9, in Florida. We were still in the discussion stage concerning what to do about the cab situation in New York. So it certainly would not be unusual not to irritate the situation but to rather try and keep things on an even keel until such time as we seen whether or not we could straighten it out. It don't seem unusual to me.

Mr. KENNEDY. But here we have a situation where Johnny Dio is calling you in New York, he is having some trouble with the teamsters local, which is attempting a drive, and you state in there that you will get hold of Dave Beck in that connection.

Mr. HOFFA. Well, I don't see anything unusual about the fact that I would get ahold of the general president to tell him about a situation in New York City which he was interested in, and attempting to get adjusted without having any more friction than there was already concerning our jurisdiction with that local union. I don't see anything too far wrong with it.

(At this point Senator Kennedy entered the hearing room.)

Mr. KENNEDY. Mr. Hoffa, there was a complaint by Mr. Dio regarding the activities of the teamsters union in New York, and you were going to say—well, in an area that was supposed to be the teamsters, according to your own position on the matter you say, "Well, John, I better get ahold of Dave Beck. Dave will be in Seattle." And you were going to get ahold of him in that connection.

Mr. HOFFA. Exactly what would be wrong with that?

Mr. KENNEDY. The complaint was that Strong had said local 102 was going to be wiped off the map. . Why wouldn't you just allow the teamster in New York, the teamster local in New York, to carry out this matter themselves? Why was it necessary for you to be getting ahold of Dave Beck in this connection, to help Johnny Dio?

Mr. HOFFA. I think I told you that I had been contacted by Dave Beck for the purposes of trying to arrange the meeting concerning this taxicab situation, and, necessarily, if there was going to be an additional problem, I think I would necessarily get ahold of Dave Beck on that additional problem.

Mr. KENNEDY. So we can understand it clearly, then, you were not interested in Johnny Dio at that time, in Johnny Dio's position or Johnny Dio getting an interest in the teamsters union?

Mr. HOFFA. I could have been interested in Johnny Dio without having Johnny Dio in the teamsters union, because Johnny Dio was, as you said, the manager, and which I didn't know for sure until you

told me, was the manager of the cab organization. I don't see anything unusual about it personally.

Mr. KENNEDY. Were you interested in Johnny Dio, and Johnny Dio becoming a part of the teamsters union during this period of time? What is your answer to that?

(At this point Senator Ervin withdrew from the hearing room.)

Mr. HOFFA. Will you restate that question, please?

Mr. KENNEDY. Were you interested in Johnny Dio and Johnny Dio becoming a part of the teamsters union during this period of time?

(The witness conferred with his counsel.)

Mr. HOFFA. Well, my answer would be that I was interested in anything that could adjust the matter of the taxicab situation, whether it was Dio or otherwise.

Mr. KENNEDY. Were you interested in that connection, in the question that I asked you before, were you interested in that connection of getting Dio into the teamsters union, protecting Dio and getting Dio into the teamsters union?

Mr. HOFFA. I could have been, if that was necessary to clear up the cab situation. I couldn't deny the fact that I was interested in clearing up the cab situation. I say that this happened back in 1953 and I don't recollect all of the activities and discussions that I had concerning it, but I know that the situation very definitely was one where we were attempting to get the UAW out of the taxicab industry into our organization.

Mr. KENNEDY. I would like to just point out to you, Mr. Hoffa, that when I asked you this question originally, you said Mr. Beck had made the decision, and the date now comes out, of February 9, 1953, that Mr. Johnny Dio would not be brought into the teamsters union. After he made that decision, you didn't ask him why and never raised a question about it again. Now after this tap is played, now you seem to feel that you might have been interested in getting him into the teamsters organization.

Mr. HOFFA. Mr. Kennedy, the interpretation you are placing on it isn't the question or the statement that I made. I want to clear the record.

(At this point Senators Ives and Ervin entered the hearing room.)

Mr. HOFFA. If there is any doubt, there is no question that I was interested in getting the taxicab organization into our organization. Insofar as what I did concerning them, I have also stated is vague in my memory, but I also stated that Dave Beck made a statement in Florida that Johnny Dio couldn't come into the teamsters. That wouldn't preclude me from talking to John Dio concerning the cab organization coming into the teamsters union. I don't think I have changed my story.

Senator KENNEDY. May I ask one question? Had the teamsters reached a decision at this point before the conversation that the cabs should be organized by the teamsters? Had that been the decision of Mr. Beck?

Mr. HOFFA. Senator Kennedy, our position was that we had a charter which covered taxicabs and we were desirous of getting it. But I think that at this particular moment we were trying to avoid a dual operation in New York concerning cabs. I think that is what brought about the discussion.

Senator KENNEDY. The decision had been reached, I gathered from this international, that this was a matter that involved the teamsters, and UAW should come in if they wanted to be in that area, those locals, and Mr. Dio himself should not come in. Now, we have a case of Mr. Dio calling you up and seeing if he could get you to prevent the teamsters from going into these garages that they had been working on, the taxi drivers they had been working on. That is what I gather.

Mr. HOFFA. But the problem is, Senator, that the matter was still under discussion and we were endeavoring to straighten out, and I think that the meetings that we had in this discussion showed that there were meetings concerning our trying to adjust this problem between our organization and this organization.

Senator KENNEDY. You were going to share the jurisdiction?

Mr. HOFFA. No. We were trying to get the UAW to relinquish any of the claim on the jurisdiction. However, I can understand this conversation because this was between the time of the first meeting and the last meeting that we had concerning this problem.

Senator KENNEDY. I gathered, though, that Mr. Beck made a decision before that. It seems to me in this case where the teamsters' jurisdiction was rather clear, that it would have been, it seems to me, quite questionable as to whether it was a good idea for you to intervene to prevent the teamsters from organizing as they sought to do in that area on a local basis on behalf of Mr. Dio.

Mr. HOFFA. I want to say this, if I may, sir, to try to answer your question, which I don't think is any different from what I have been saying, to the effect that the jurisdiction of taxicabs was maintained at the beginning and the ending of the argument concerning the question of whose jurisdiction it was, but the discussion that it took to finally decide how to go about getting that jurisdiction took several discussions, and, as I said before, I may have talked to Dio on the phone. I may have attended meetings which I can't place other than by recollection. It would seem to me that it is quite normal, that if you first have a meeting to discuss getting a competitor out of the field of organizing cabdrivers, that you would not want to irritate a situation until you finally came to a conclusion of trying to do something to oppose the organization, unless you had to.

I was interested, sir, in trying to get taxicab drivers to organize taxicabs who understood the business, which I was convinced of that the executive board of the UAW local, which was comprised of cabdrivers, from what I had been told, could do the job better than by just issuing a charter which nothing may come out of. The best evidence that I was right at that time and right today is that we do not have a self-sustaining organization of cabdrivers in New York of any great number.

Senator KENNEDY. Mr. Hoffa, just to conclude, Mr. Strong, a teamster, told Mr. Dio that 102 had been wiped off the map, and then Dio phoned you. In other words, that the teamsters were going to organize these garages in which they had a proper jurisdiction, and you have agreed to that.

Then Mr. Dio called you in order to have you intervene with Mr. Beck. I would think that this would be of such great importance, and this was not the first of a series of curious interrelationships that existed between you and Mr. Dio which are going to be described

tomorrow, that this was the start of this relationship which existed between you and Mr. Dio. This is the first of a series of related favors which were done by both of you.

The CHAIRMAN. May I ask who is Tom? He said, "I invited Tom to dinner," and "I will get the number off Tom." Who is Tom?

Mr. HOFFA. What page is that, sir?

The CHAIRMAN. Page 3.

(The witness conferred with his counsel.)

Mr. HOFFA. I don't think I can help you, sir.

The CHAIRMAN. It says, "John Strong." It wasn't referring to Strong.

Mr. HOFFA. I don't think it was. It was some Tom, but I don't know who it could be.

The CHAIRMAN. Could it be Tom Hickey?

Mr. HOFFA. I just couldn't answer you. But I would like to say that the—

The CHAIRMAN. Apparently at that time I would assume if you didn't know you would have asked who was Tom at the time.

Mr. HOFFA. That is correct.

Mr. KENNEDY. Wasn't that Tom Flynn?

Mr. HOFFA. I don't know if Tom was in the eastern conference at that time or not. I can't tell you.

Mr. KENNEDY. He was friendly with Mr. Dio, though, wasn't he?

Mr. HOFFA. Didn't the eastern conference start in the latter part of 1953 rather than the early part? I would have to check. I can't answer it.

I would like to say that 807, Senator Kennedy, reads "Truck Drivers, New York, N. Y." It does not give them jurisdiction over cabdrivers.

The CHAIRMAN. As the Chair announced awhile ago, we cannot conclude today. The committee has other business. The committee will stand in recess until 10:30 tomorrow morning.

(Thereupon, at 5:07 p. m., the committee recessed, to reconvene at 10:30 a. m. Thursday, August 22, 1957.)

(Members of the select committee present at the taking of the recess were: Senators McClellan, Ives, Kennedy, Ervin, McNamara, Mundt, and Curtis.)

INVESTIGATION OF IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

THURSDAY, AUGUST 22, 1957

UNITED STATES SENATE,
SELECT COMMITTEE ON IMPROPER ACTIVITIES
IN THE LABOR OR MANAGEMENT FIELD,
Washington, D. C.

The select committee met at 10:30 a. m., pursuant to Senate Resolution 74, agreed to January 30, 1957, in the Caucus Room, Senate Office Building, Senator John L. McClellan (chairman of the select committee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Irving M. Ives, Republican, New York; Senator Sam J. Ervin, Jr., Democrat, North Carolina; Senator Pat McNamara, Democrat, Michigan; Senator Barry Goldwater, Republican, Arizona; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska.

Also present: Robert F. Kennedy, chief counsel; Jerome S. Adlerman, chief assistant counsel; Paul J. Tierney, assistant counsel; Robert E. Dunne, assistant counsel; John Cye Cheasty, assistant counsel; Walter R. May, assistant counsel; Walter Sheridan, assistant counsel; K. Philip O'Donnell, assistant counsel; Carmine S. Bellino, accounting consultant; Pierre E. G. Salinger, investigator; James Mundie, investigator; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the session were Senators McClellan, Ives, and Goldwater.)

The CHAIRMAN. The committee will resume its interrogation of the witness, Mr. Hoffa.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

The CHAIRMAN. All right, Mr. Kennedy, you may proceed.

Mr. KENNEDY. I wanted to ask you about some of these bills that were charged to the teamsters during your trial here in Washington.

According to the testimony that we have had, over \$8,000 worth of hotel bills were charged to various teamster organizations. Are you familiar with that?

Mr. HOFFA. I am familiar with the fact that certain teamster representatives were in Washington during the trial period.

Mr. KENNEDY. You gave them permission to be here; is that right?

Mr. HOFFA. Well, I don't have to give them permission. They are entitled to come here on their own authority.

Mr. KENNEDY. They were doing union business here?

Mr. HOFFA. Some union business, and other observations.

Mr. KENNEDY. Observation?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. Who were they observing?

Mr. HOFFA. Myself.

Mr. KENNEDY. And you felt that the teamster union should pay, for instance, some \$1,619.42 for Barney Baker to come here and observe you?

Mr. HOFFA. Mr. Kennedy, my organization—and I am talking now for my own particular organization—voted in meetings to spend the necessary funds in behalf of my defense and expenses in behalf of the trial. Now, Barney Baker works for the central conference under my direct orders. If I see fit to assign Baker into Washington temporarily, I see nothing wrong with it. I have the authority.

Mr. KENNEDY. You did assign Baker here then, did you?

Mr. HOFFA. Not necessarily. Baker had authority to come in here, and make a survey while he was here, and to be here to do whatever was necessary in behalf of the lawyers, running errands, and doing whatever was needed.

Mr. KENNEDY. Did you or did you not assign him here during the trial?

Mr. HOFFA. Baker was allowed to come in here and I don't know if I said directly, "Come in here," and I think Barney said he wanted to come in and I probably said, "All right."

Mr. KENNEDY. You gave him permission to come in here?

Mr. HOFFA. I probably said, "All right."

Mr. KENNEDY. And that was some \$1,619.42 for him to run errands for the lawyers: is that right?

Mr. HOFFA. Mr. Kennedy, whatever the bill was, we paid it and we had authority to pay it, and I see nothing wrong with it.

The CHAIRMAN. Let me get it straight. Is that \$1,600 in the items that were testified to here yesterday?

Mr. KENNEDY. Yes: \$1,619.42 was charged to the union, teamsters union, for Barney Baker. It was charged to the central conference of teamsters in St. Louis, Mo.

Did you know Mr. Baker was thrown off the waterfront for his type of activities in 1934?

Mr. HOFFA. I listened to Mr. Baker's reputation read by you yesterday, and I don't know how many years it goes back, but since Baker has been with us I don't know of anything he has done except constructive work for our organization.

Mr. KENNEDY. He has a prison record for throwing stink bombs and injury to property, and referred to in the record of the New York State Crime Commission as a collector for the Service Collective Agency, an arrangement whereby large sums of money were obtained from the public loading racket.

Are you familiar with all of that?

Mr. HOFFA. I am not familiar, except what you read yesterday. I didn't go into his background, or the history of Baker.

Mr. KENNEDY. You wanted him for errands for the lawyers?

Mr. HOFFA. I didn't necessarily want him here at all.

Mr. KENNEDY. But he wanted to come and you gave him permission.

Mr. HOFFA. He may have, and I can't recall how he got here, but if he asked to come here I wouldn't object to it.

Mr. KENNEDY. It came out of union funds to the total of \$1,600.

Mr. HOFFA. We had the authority to do it, under our bylaws.

The CHAIRMAN. Let me ask you a question, Mr. Hoffa.

Were all expenses of the trial paid by union-dues money?

Mr. HOFFA. I didn't get that, sir.

The CHAIRMAN. Were all of the expenses of the trial paid out of union-dues money?

Mr. HOFFA. I am paying my own personal lawyer's fee, sir.

The CHAIRMAN. But those who attended trial, and who were here as indicated yesterday by the evidence, their expenses were paid out of union-dues money?

Mr. HOFFA. Many of the individuals here were here to consult with me concerning union business. I finished negotiations of one contract during the trial. I discussed other contracts with other agents, and in many instances it is true that the individuals were here who I have known for a long period of time and they were probably here concerned about my own personal liberties as friends.

It is true, sir, that in many instances the bills were paid by their unions, and I assume they had the authority as I did from my membership.

The CHAIRMAN. Do you know whether their transportation was paid to and from Washington?

Mr. HOFFA. I would assume.

The CHAIRMAN. By the union?

Mr. HOFFA. I would assume it was.

The CHAIRMAN. Do you know what unions other than your own provided these expenditures?

Mr. HOFFA. Well, I cannot give you the numbers offhand. Let me see. Well, I can give you the towns better than the locals, sir.

The CHAIRMAN. You can give what?

Mr. HOFFA. I can give you the cities. I could give you the cities better than the locals that may indicate the individual, but his particular local I don't think that I can call offhand unless I check the roster.

The CHAIRMAN. Will you provide this committee with a list of all expenditures from all locals within the locals and other organizations, councils or whatever title they may have, within your jurisdiction, all expenses that were paid for those who came up here during the course of the trial.

Mr. HOFFA. I find no objections.

The CHAIRMAN. Then you will do that?

Mr. HOFFA. I will.

The CHAIRMAN. That will be provided under oath, and the only question here is whether it is a proper expenditure of union dues or whether the Congress should want to consider it in that light, whether it is or it is not. I can appreciate there could be no question if the union was being sued, or the union's interest was directly involved, but a question does arise in my mind, at least, and I suppose in the minds of other members of this committee, as to the validity and propriety of spending union dues for the defense of some union official

who may be charged with a crime unrelated to that of the union's action itself.

For that reason, we want the full record, and report, and we don't know whether they are true or not.

I have a report that Joe Louis was paid \$2,500 for sitting in the courtroom for 2 hours. Do you know anything about that?

Mr. HOFFA. Well, if he was paid \$2,500, he was not paid by Hoffa.

The CHAIRMAN. I didn't say by Hoffa; I am talking about a union.

Mr. HOFFA. I say I know nothing of it and I don't qualify the statement.

The CHAIRMAN. Will you look into that?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. All right.

Mr. HOFFA. I want to say, sir——

The CHAIRMAN. We will get the expenditures and find out.

Mr. HOFFA. I would like to say, Senator McClellan, you have asked for a complete list. I will give you one to the best of my ability to get such a list.

The CHAIRMAN. I believe——

Mr. HOFFA. I can only get that from the bills and request individuals to give it to me.

The CHAIRMAN. I believe if you request it, in the position you occupy, from the locals and your jurisdiction, it will be forthcoming.

Mr. HOFFA. I am saying from bills, I will, but individuals, if they spent out of pocket money, I could not give it to you.

The CHAIRMAN. That is right. An individual, if he wanted to spend his own money, you would not know about that. I am only asking for union money.

Mr. HOFFA. All right.

The CHAIRMAN. We will proceed.

Senator CURTIS. Mr. Hoffa, I would like to inquire a little bit about the authority for spending this money. What was the authority for spending money in your defense, union money?

Mr. HOFFA. In my own particular instance, I called a meeting of my membership.

Senator CURTIS. What organization are you speaking of?

Mr. HOFFA. Local union 299, sir.

Senator CURTIS. When was that meeting held?

(The witness conferred with his counsel.)

Mr. HOFFA. Well, it was shortly after the time I was indicted, and I can't give you the exact month, but shortly after the time I was indicted.

Senator CURTIS. Was it an especially called meeting?

Mr. HOFFA. No, sir; it was a regular meeting and it was as reflected in the minutes.

Senator CURTIS. How many members are there of your local union?

Mr. HOFFA. Approximately 14,000 members.

Senator CURTIS. How many were present at that time?

Mr. HOFFA. I would assume anywhere from two to three to four, to five hundred, and I could not remember offhand.

Senator CURTIS. Will you examine the minutes and supply that figure for the record?

Mr. HOFFA. We do not keep the record of the members who attend the meetings, and I could not do that.

Senator CURTIS. No record at all is kept of how many people were there?

Mr. HOFFA. No, sir, and I see no reason to keep a record.

Senator CURTIS. Name a few people who were there and I might want to inquire of them.

Mr. HOFFA. You say I should name them?

Senator CURTIS. Yes.

Mr. HOFFA. Well, I can name the officers who were there but I don't know if I can name the members who were there.

Senator CURTIS. Name the officers.

Mr. HOFFA. All right, Frank Fitzsimmons and Frank Collins, George Roxburgh, and I believe William Bell.

Senator CURTIS. Now name a few who were there besides the officers.

Mr. HOFFA. Now you are asking me to do something that I cannot recall from memory.

Senator CURTIS. Well, just name a few, name a half dozen.

Mr. HOFFA. I could not recall from memory at this moment who was at that particular meeting that far back, sir.

Senator CURTIS. Where was the meeting held?

Mr. HOFFA. 2741 Trumbly.

Senator CURTIS. What will the minutes show as to this matter?

Mr. HOFFA. The minutes will show what transpired at the meeting.

Senator CURTIS. But I mean in reference to the expenditure of union funds for your defense?

Mr. HOFFA. It will show that there was a motion made, seconded, and voted on.

Senator CURTIS. But it will not show how many members were present?

Mr. HOFFA. No, sir, it will not.

Senator CURTIS. Are notices sent out of meetings? What notice was sent out with regard to this meeting?

Mr. HOFFA. Our meetings have not been changed, the meeting dates, except the time, for a considerable number of years.

All of the members know when the meetings are held and when a new man is initiated into our union, I believe on the card that is sent out to notify him to come in for initiation, I believe the time of the meeting is on the card so that he will know when the meetings are held.

Senator CURTIS. Was there a notice sent out in reference to this particular meeting?

Mr. HOFFA. Not a specific notice, no, sir.

Senator CURTIS. Now, you do not remember the date of it?

Mr. HOFFA. Offhand, I couldn't tell you.

Senator CURTIS. What hour of the day was it held?

Mr. HOFFA. Well, the carloading meeting starts at 10 o'clock in the morning, and the freight meeting, I believe, starts at 7 o'clock at night and the over-the-road meeting at 12 o'clock on Sunday.

Senator CURTIS. Which meeting was this taken up at?

Mr. HOFFA. The three meetings, sir.

Senator CURTIS. Three meetings?

Mr. HOFFA. Yes, sir.

Senator CURTIS. They met at their regular hours?

Mr. HOFFA. There was no change in the time and I instructed the car haul meeting to take it up and I am quite confident he did, and I took it up I believe myself personally at the city cartage and road and I am quite sure I took it up with both and I will check the minutes to make sure and if you want minutes I will give you copies of the minutes.

Senator CURTIS. I would like to have copies of those minutes.

Mr. HOFFA. You have it, sir.

Senator CURTIS. And I would like to have you, by discussing it with your friends and reconstructing the best you can, to provide me with the names of as many members that were present that you can recall.

That is all, Mr. Chairman.

The CHAIRMAN. All right, Mr. Kennedy, proceed.

Mr. KENNEDY. I notice here on July 19 he received \$175.90 in cash. That is from the Woodner Hotel. Could you tell the committee what that would have been for?

Mr. HOFFA. I can't tell you what it was for.

Mr. KENNEDY. It was paid out to Mr. Bobby Baker.

Mr. HOFFA. I don't know what it was for.

Mr. KENNEDY. Is he a big man, Mr. Baker?

Mr. HOFFA. Well, I would say a little over 300.

Mr. KENNEDY. I see, for instance, a restaurant; they charged the local \$65.72, so he eats a lot, too, I guess.

Mr. HOFFA. I imagine over a period of time.

Mr. KENNEDY. That was one meal.

Mr. HOFFA. It is just possible that he picked up the checks of some individuals or had a particular reason. I don't know.

Mr. KENNEDY. What about William Bufalino. His bill was charged to the union, \$914.89.

Mr. HOFFA. What about it?

Mr. KENNEDY. What was he here for? Was he here running errands for the lawyers, too?

Mr. HOFFA. Bufalino is a lawyer, as well as being a business representative.

Mr. KENNEDY. You were consulting with him?

Mr. HOFFA. And Bufalino was here representing his organization as Bill Bufalino, and he was here consulting with the lawyers and doing whatever he could do.

Mr. KENNEDY. \$914.89 worth.

Mr. HOFFA. I don't see anything odd about it.

Senator CURTIS. Did you personally pay him for his legal fees?

Mr. HOFFA. He did not represent me at this trial, sir, as my personal lawyer.

Senator CURTIS. Did you pay him?

Mr. HOFFA. He is a lawyer that has been retained by my organization; yes, sir.

Senator CURTIS. Did you pay him out of your personal funds?

Mr. HOFFA. He was not representing me personally in this case, and so I had no reason to pay him personally out of this case.

Senator CURTIS. Then the answer is that you did not pay him personally?

Mr. HOFFA. Not for this case, I did not.

Mr. KENNEDY. Who was he representing, then?

Mr. HOFFA. I told you, he was representing his own organization.

Mr. KENNEDY. Legally?

Mr. HOFFA. He was in here representing his organization in whatever capacity he deemed necessary at that time.

Mr. KENNEDY. To give you legal advice?

Mr. HOFFA. He was not my lawyer, and he consulted with the other lawyers, and did whatever they thought was necessary, but they will have to explain that, and I can't.

Mr. KENNEDY. You mean he was there in case Edward Bennett Williams needed some advice, and he would go to William Bufalino of the jukebox local?

Mr. HOFFA. I did not say Edward Bennett Williams, and he may have worked with Mr. Williams, and I could not tell you. I don't know.

Mr. KENNEDY. He is head of the jukebox local; isn't he?

Mr. HOFFA. He is, that is correct.

Mr. KENNEDY. What attorneys here in Washington were consulting with Mr. William Bufalino, head of the juke box local, for legal advice?

Mr. HOFFA. Mr. Bufalino was probably consulting with them as I stated, and I did not say they were consulting with him.

Mr. KENNEDY. Was he giving them advice?

Mr. HOFFA. You will have to ask him.

Mr. KENNEDY. You are the one who is testifying and you said he is here because he is a lawyer.

Mr. HOFFA. That is right.

Mr. KENNEDY. Was he giving them advice?

Mr. HOFFA. You will have to ask him and he will tell you.

Mr. KENNEDY. Do you know?

Mr. HOFFA. I don't have any recollection of discussing with me the question of who he was giving advice to.

Mr. KENNEDY. I notice that he charged to the union on July 13, \$1.35 for a shoe shine. Do you know anything about that?

Mr. HOFFA. I would suggest that he answer the question.

Mr. KENNEDY. You don't know anything about these charges. Is that a legitimate union expense, out of union funds?

Mr. HOFFA. I would suggest to you that when you travel for this committee that you charge all of your expenses to the committee, and I assume that anybody else traveling charges the necessary money for expense.

Mr. KENNEDY. You are wrong.

Mr. HOFFA. Everybody don't have the money that you have.

The CHAIRMAN. I do not believe that we have \$1,600,000.

Mr. HOFFA. I think that they have a million, sir.

The CHAIRMAN. What is that?

Mr. HOFFA. I think Mr. Kennedy has a million, from what I read.

Mr. KENNEDY. I hope so.

The CHAIRMAN. Are you talking about him or the committee?

Mr. HOFFA. I am reading about him.

The CHAIRMAN. It is not the committee. Keep the record straight, and proceed.

Mr. KENNEDY. What about local 743? Did they have a representative here, too, that is, Mr. Peters?

Mr. HOFFA. Don Peters was here himself.

Mr. KENNEDY. He was here?

Mr. HOFFA. Yes.

Mr. KENNEDY. And did the local make arrangements for Mr. Peters to come?

Mr. HOFFA. Don Peters was in and out, and twice when he was here he came here to discuss with me Montgomery Ward's contract under serious consideration at that time in an endeavor to avoid a strike which we did.

Mr. KENNEDY. That was the only reason he was here?

Mr. HOFFA. No, sir. While he was here, he stayed and observed the trial.

Mr. KENNEDY. Did local 743 pass a resolution to send Mr. Peters here?

Mr. HOFFA. I could not answer that, and I don't know.

Mr. KENNEDY. Do you know of any other local that passed any resolution other than 299?

Mr. HOFFA. I never asked anyone and I would not know.

Mr. KENNEDY. For instance, Mr. Bufalino's local, 985, of the juke-boxes, did they pass any resolution that they could spend \$914.89?

Mr. HOFFA. I think Mr. Bufalino would have to answer that question, Mr. Kennedy.

Mr. KENNEDY. He had some difficulty with the law a couple of years ago, himself, didn't he?

Mr. HOFFA. He had a trial, and he was found innocent.

Mr. KENNEDY. That was for extortion?

Mr. HOFFA. I believe he was tried for that, and the jury found him innocent.

Mr. KENNEDY. Who paid that bill.

Mr. HOFFA. We did.

Mr. KENNEDY. The union?

Mr. HOFFA. The joint council assisted in paying the bill, and I believe maybe his local did, and I do not know exactly who paid all of the bills, but we certainly assisted him.

Mr. KENNEDY. How much approximately was that?

Mr. HOFFA. I could not tell you offhand, and I don't know. It was a considerable amount of money.

The CHAIRMAN. I believe that you should supply that along with the others, since the Congress will want to consider this, as to whether it is an improper practice, an improper expenditure of money, so you may supply that, too.

Mr. HOFFA. Senator McClellan, I believe that you have some of the checks now, and I will give you the rest of them.

Mr. KENNEDY. We have a check here dated August 15, 1953, to joint council 43, for \$5,000.

Mr. HOFFA. It was more than that, I can assure you, unfortunately.

Mr. KENNEDY. And it was local union 337. Did each of the locals contribute to that?

Mr. HOFFA. I believe so. I don't know. I don't know whether all of the locals did or not, but some locals did. I could not qualify the statement so far as all of them.

Mr. KENNEDY. Was that taken up with the membership?

Mr. HOFFA. That I cannot tell you.

Mr. KENNEDY. There is nothing in the minutes about it, is there?

Mr. HOFFA. I did not read the minutes, Mr. Kennedy.

Mr. KENNEDY. There is nothing in the minutes of local 337 giving permission to spend \$5,000 for the defense of Mr. William Bufalino.

Mr. HOFFA. Mr. Kennedy, I could not give you the answer.

The CHAIRMAN. Let us get this check in the record. Do you identify this check, Mr. Hoffa?

(Document handed to counsel.)

Mr. KENNEDY. We understand the local contributed \$5,000, and we believe 227, Mr. Hoffa would have the information, they contributed also \$5,000.

Mr. HOFFA. I did not get the question.

The CHAIRMAN. Do you identify the check?

Mr. HOFFA. Yes.

The CHAIRMAN. That may be made exhibit 170.

(The document referred to was marked "Exhibit No. 170" for reference, and will be found in the appendix on p. 5286.)

The CHAIRMAN. Counsel made a statement as to information that the committee has, and he can ask the question.

Mr. KENNEDY. We understand your own local, 299, contributed \$5,000 to Mr. Bufalino's defense.

Mr. HOFFA. I would not be surprised, but I would not want to make a positive statement until I check the record.

Mr. KENNEDY. And 247 contributed \$5,000.

Mr. HOFFA. I would not be surprised but I want to check the record.

Mr. KENNEDY. Do you know any other local who contributed?

Mr. HOFFA. Offhand I don't at this moment, but I will do what the Chair instructed me to do.

Mr. KENNEDY. Is Mr. Angelo Meli related to Mr. Bufalino.

Mr. HOFFA. I believe he is an uncle by marriage.

Mr. KENNEDY. Is he a friend of yours?

Mr. HOFFA. I have known him for a considerable number of years, in the city of Detroit.

Mr. KENNEDY. He is the one that has been charged twice with murder.

Mr. HOFFA. Was he charged, you say?

Mr. KENNEDY. Yes.

Mr. HOFFA. Well, I have read various incidents in the paper, and I can't recall, but someone was recently killed in an airplane, and his son was killed in the Army flying a jet, while flying a jet for the Army.

Mr. KENNEDY. Do you know anything about him? He is your friend.

Mr. HOFFA. Not necessarily. I did not say that. You asked me did I know him and I know him as an acquaintance. When I see him in a restaurant or see him in the street or wherever I would see him, I would recognize the man.

Mr. KENNEDY. A couple of times were armed robbery, and a couple of times were murder. Are you familiar with that?

Mr. HOFFA. I didn't check his record, and I think it has been displayed in the newspapers.

The CHAIRMAN. Who is the man?

Mr. KENNEDY. Mr. Angelo Meli, who I understand is a friend of Mr. Hoffa, and is related to Mr. William Bufalino, who runs the jukebox local, local 985 of the teamsters, and Mr. Bufalino took the

jukebox local over from Jimmie James, which Mr. James Hoffa started originally.

The CHAIRMAN. What I am trying to get at is where is any relation between this man now and the labor union?

Mr. KENNEDY. He is just a friend of Mr. Hoffa.

The CHAIRMAN. Let us get on to something else.

Mr. KENNEDY. What about Mr. DeLamielleure?

Mr. HOFFA. He is a private investigator, privately with the Detroit Police Department for a period of 25 years, now on retirement.

Mr. KENNEDY. Did the teamsters make arrangements for him to come here?

Mr. HOFFA. I personally did.

Mr. KENNEDY. You did?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And he was to be paid out of teamster funds?

Mr. HOFFA. I believe we paid his expenses.

Mr. KENNEDY. Well, now, his hotel bill was charged to the teamsters.

Mr. HOFFA. If it was charged, we paid it. At least, we will.

Mr. KENNEDY. What about Mr. Kehoe?

Mr. HOFFA. Mr. Kehoe is an attorney from Miami, Fla.

Mr. KENNEDY. And some of his bills were charged to the teamsters.

Mr. HOFFA. I believe his expenses were.

Mr. KENNEDY. What does he do down in Miami, Fla.?

Mr. HOFFA. He is an attorney.

Mr. KENNEDY. Was he brought up for consultation or what?

Mr. HOFFA. I believe Mr. Fitzgerald brought him up for consultation.

Mr. KENNEDY. To get his advice?

Mr. HOFFA. On some particular issue, and I am not sure which.

Mr. KENNEDY. You don't know anything about that?

Mr. HOFFA. Mr. Fitzgerald could answer, and I don't believe I could.

Mr. KENNEDY. You don't have any idea why he was brought up?

Mr. HOFFA. I said for consultation. Now, legal discussions that would be.

Mr. KENNEDY. Did he used to work out in Detroit?

Mr. HOFFA. In Pontiac.

Mr. KENNEDY. With the grand jury out there?

Mr. HOFFA. I don't think so. He was with the prosecutor's office. He was chief investigator.

Mr. KENNEDY. He was with them.

Mr. HOFFA. With the prosecutor's office, chief investigator.

Mr. KENNEDY. Was he the chief investigator when the prosecutor was investigating you, with the grand jury?

Mr. HOFFA. I did not know I was being investigated in Pontiac.

Mr. KENNEDY. You never heard of that?

Mr. HOFFA. I was not called in front of a grand jury, at least, and I can't recall it.

Mr. KENNEDY. Were they investigating the teamsters at that time?

Mr. HOFFA. I can't recall whether they were or not, and I don't know. It does not seem to me that they were.

Mr. KENNEDY. The Callahan grand jury, and Mr. Kehoe had nothing to do with that?

Mr. HOFFA. I don't believe he did.

Mr. KENNEDY. He never had anything to do with it?

Mr. HOFFA. I am not positive, unless they hired him in some capacity I don't know about.

Mr. KENNEDY. But you don't know anything about it yourself?

Mr. HOFFA. I don't believe he worked with them.

Mr. KENNEDY. Did you ever have any discussions with him about the grand jury?

Mr. HOFFA. I may have had that.

Mr. KENNEDY. Do you know if he worked for the grand jury or with the grand jury?

Mr. HOFFA. I don't believe he worked with the grand jury.

Mr. KENNEDY. Can you give me an unequivocal answer, or are you going to say "I don't think"?

Mr. HOFFA. He would work for them, and he would not tell me.

Mr. KENNEDY. I am just asking what you knew.

Mr. HOFFA. I am not in a position where I can say something I don't know.

Mr. KENNEDY. I am asking you what you knew.

Mr. HOFFA. I will make the statement I did not know he worked for the Callahan grand jury, if that is what you want.

Mr. KENNEDY. You did not know he had any connection with that grand jury in its investigation?

Mr. HOFFA. Not to my knowledge.

Mr. KENNEDY. Mr. Robert Holmes was there?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. What local did he represent?

Mr. HOFFA. 337.

Mr. KENNEDY. And the bills were charged to the teamsters for him of \$255.69. What was he here for?

Mr. HOFFA. Well, Bob and I started to work in the warehouse some twenty-odd years ago for 32 cents an hour. Bob was probably here to observe what was going on, in the trial, so he could report back to his local union.

Mr. KENNEDY. And do you know if the union gave permission for those bills?

Mr. HOFFA. I couldn't tell you offhand. I believe the bylaws gives him authority.

Mr. KENNEDY. Well, it is not in the minutes.

Mr. HOFFA. I believe the bylaws gives him the authority.

Mr. KENNEDY. Just general authority to travel where he wants?

Mr. HOFFA. I think he has the same authority that I have. I believe a copy of the bylaws—

Mr. KENNEDY. But he wasn't given specific permission?

Mr. HOFFA. I couldn't tell you offhand.

Mr. HENNEDY. You don't know specifically?

Mr. HOFFA. I couldn't tell you specifically.

Mr. KENNEDY. What about Martha Jefferson?

Mr. HOFFA. She was an attorney.

Mr. KENNEDY. Who made the arrangements for her to come?

Mr. HOFFA. She came here on her own. She was an attorney that we were using for the purpose of drafting briefs, and she appeared here on her own. When she came here, I believe we paid her hotel bill for one night, George tells me.

Mr. KENNEDY. No other expenses? Nothing else was paid for her?

Mr. HOFFA. At that time I don't believe so.

Mr. KENNEDY. She just came on her own? Nobody asked her to come?

Mr. HOFFA. Well, I was rather surprised she was here.

Mr. KENNEDY. Yes, but do you know if anybody asked her to come?

(The witness conferred with his counsel.)

Senator CURTIS. Mr. Chairman, I would like to ask a question at that point.

(The witness conferred with his counsel.)

Mr. HOFFA. She was hired by Mr. Fitzgerald and Mr. Fitzgerald tells me that he didn't ask her to come in. So I cannot make a statement as to what brought her here, except that I imagine she wanted to see how some of the advice she had given to briefs was standing up.

Mr. KENNEDY. She was hired in connection with this case by Mr. Fitzgerald?

(The witness conferred with his counsel.)

Mr. HOFFA. That is right. In April, I guess. April, I guess.

(The witness conferred with his counsel.)

Mr. HOFFA. March or April. George tells me.

Mr. KENNEDY. Mr. Fitzgerald went to Los Angeles to get an attorney to write briefs in connection with this trial?

Mr. HOFFA. There is a very peculiar law in California, that we were very much interested in being briefed.

Mr. KENNEDY. And then you had Mr. Hurst here also?

Senator CURTIS. Mr. Chairman, before you leave this Jefferson—

Mr. HOFFA. Martha Jefferson.

Senator CURTIS. Did she sit in at your trial at the counsel table?

Mr. HOFFA. No, sir. I believe she was in the audience.

Senator CURTIS. She was in the audience.

(The witness conferred with his counsel.)

Senator CURTIS. And these briefs that she wrote were in reference to a matter for which you were being tried?

Mr. HOFFA. I think Mr. Fitzgerald could explain that, but they were in reference to certain peculiar laws in California which I have no knowledge of. It was a legal question, and the attorneys handled it.

Senator CURTIS. Well, did it relate to your defense or was it other matters?

Mr. HOFFA. Well, I believe it was related to my particular case.

Senator CURTIS. Well, now, there appeared in the press pictures of this lady lawyer as one of your defense counsel, along with—I believe you were in the picture and so was Mr. Williams. That was not correct, was it?

(The witness conferred with his counsel.)

Mr. HOFFA. George tells me, if you want to get a legal description, that she could be considered as part of legal counsel but not participating in the actual trial, insofar as sitting at the counsel table was concerned.

Senator CURTIS. I gathered from seeing it in the papers, your posing with her in this picture, that she was conducting the defense, or part of it.

Mr. HOFFA. Well, I am not responsible. I saw the articles.

Senator CURTIS. Did you see the picture?

Mr. HOFFA. Yes, I saw the picture. It was in most of the papers.

Senator CURTIS. And you were there when it was taken?

Mr. HOFFA. I had to be.

(At this point, Senator Ives withdrew from the hearing room.)

Senator CURTIS. But at that time did you consider her one of your defense counsel?

Mr. HOFFA. I never gave it any thought, frankly, until you brought it up.

Senator CURTIS. That is all.

Mr. KENNEDY. You were the one that brought it up. You said she was here as an attorney, Mr. Hoffa.

Mr. HOFFA. Out of response to a question that you proposed.

Mr. KENNEDY. We asked why she was here, and you said that she came here as an attorney in your defense.

Mr. HOFFA. Well, I had to give you the answer that you requested. Otherwise, the Chair would have directed me to.

Mr. KENNEDY. I am asking for the truth.

Mr. HOFFA. Well, you got it.

Mr. KENNEDY. She was here as a defense attorney?

Mr. HOFFA. The description of Mr. Fitzgerald, he said you could have applied that to her employment in this particular case. I can only say what he said.

The CHAIRMAN. She is an attorney, she was here as an attorney, at the request of your attorney, one of your attorneys, assisting in the preparation of material for the defense in the trial, is that correct?

Mr. HOFFA. I think that is correctly stated, sir.

The CHAIRMAN. There is no question about that is the purpose of her being here. All right.

Mr. KENNEDY. Was she paid out of union funds?

(The witness conferred with his counsel.)

Mr. HOFFA. Yes, sir, you could say that.

Mr. KENNEDY. How much did she receive?

(The witness conferred with his counsel.)

Mr. FITZGERALD. Mr. Chairman, we are willing to disclose that to the investigators, but I don't think that an attorney's fees should be placed on the record like this. If there is any question about it, it would be different.

The CHAIRMAN. Well, just a moment.

Mr. FITZGERALD. I will do anything you say, but—

The CHAIRMAN. Any of Mr. Hoffa's personal funds or not union funds that he may have paid out, I do not think this committee could have any legal interest in them. But any moneys paid out in the course of this trial out of union dues is a proper subject of inquiry.

Mr. FITZGERALD. You misunderstood me, I think, Mr. Chairman.

I am not objecting to disclosing it to the committee. I am not objecting to it on that ground. I feel that the committee is entitled to it.

I mean the amount, I think when it involves the attorney, I think the amount—well, to save the mystery of it, I can advise Mr. Hoffa. (The witness conferred with his counsel.)

The CHAIRMAN. We do not want any mystery. That is why I wanted it on the record.

Mr. HOFFA. I am informed, Mr. Kennedy, that somewhere in the neighborhood of \$1,300.

Mr. KENNEDY. \$1,300?

Mr. HOFFA. Somewhere in the neighborhood of \$1,300.

Mr. KENNEDY. And she wrote a brief, did she?

(The witness conferred with his counsel.)

Mr. HOFFA. Wrote a brief and also came to Detroit to consult with Mr. Fitzgerald.

Mr. KENNEDY. That is \$1,300 exclusive of her travel expenses?

Mr. HOFFA. No, George thinks that that includes the travel expenses also.

The CHAIRMAN. When you submit the other information, submit the full information about her expenses.

The committee is only interested in union money.

Mr. Hoffa has a right to hire counsel and pay whatever he wants to. In that instance, I am on the side of counsel. I want them to get paid.

But in this instance, where union money is being spent, there is a question of propriety about it.

The committee will proceed to inquire.

Mr. KENNEDY. What about Byron Hurst? What was he up here for?

Mr. HOFFA. Again, Mr. Fitzgerald can answer the question better than I can. For some reason, he was consulting with Mr. Fitzgerald. I can't give you the answer.

The CHAIRMAN. Just a minute. Mr. Fitzgerald has been sworn.

Do you say you have no knowledge of why he was here?

Mr. HOFFA. I don't say no knowledge, sir. I couldn't tell you—I know he was here consulting with Mr. Fitzgerald, but I am not aware, and couldn't tell you, of all the consultations they had. So I am at a loss to answer the question other than to say that he was here for consultation purposes.

The CHAIRMAN. All right. Proceed.

Mr. KENNEDY. Well, I want the information.

The CHAIRMAN. You say that you do not have the full information about it?

Mr. HOFFA. Yes, sir, I say that he was here for consultation. That is the best answer I can give you.

The CHAIRMAN. He was here as a lawyer in the case for consultation purposes?

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Mr. Fitzgerald—well, let me ask you first.

Was he paid out of union funds?

(The witness conferred with his counsel.)

Mr. HOFFA. Let me find out, will you?

The CHAIRMAN. All right.

(The witness conferred with his counsel.)

Mr. HOFFA. Senator McClellan, I can only say that there was some expenses paid, but Mr. Fitzgerald tells me that they haven't arrived

at the fee schedule, and he is not quite sure whether or not it has been paid.

TESTIMONY OF GEORGE S. FITZGERALD—Resumed

The CHAIRMAN. Mr. Fitzgerald, you have been previously sworn.

Mr. FITZGERALD. Yes, Mr. Chairman.

The CHAIRMAN. What are the facts regarding Mr. Hurst?

Mr. FITZGERALD. Well, Mr. Hurst was hired by me or retained by me without a retainer being paid. I have known Mr. Hurst. I think sometime prior to June—no, no. Well, I can't give you the exact date. Mr. Hurst was not paid anything by the union. I have a letter in my office from Mr. Hurst in which he was not concerned with any retainer fee, but he stated he would like to have his expenses paid.

So far we haven't even paid the expenses, to my knowledge.

Mr. HOFFA. We paid some of them, sir.

Mr. FITZGERALD. He paid a hotel bill at the Woodner himself, I believe, part of it, and there is another bill at the Woodner which has not been paid, I don't believe. Maybe some of it has been paid.

The CHAIRMAN. The point is, and you appreciate this, you know what we are trying to determine here, not just on Mr. Hurst but covering the whole area. As I understand you now, you expect to pay Mr. Hurst?

Mr. FITZGERALD. Well, we may pay Mr. Hurst. Mr. Hurst has been, since this matter arose—let me put it this way: Mr. Hurst, I know. Mr. Hurst is a fine attorney. Mr. Hurst I consulted, without the payment of any retainer.

Some question has arisen from a newspaper columnist about Mr. Hurst's employment, and Mr. Hurst is very touchy on the subject, and I don't think Mr. Hurst even wants to be paid a fee in the matter because of that.

I think it was very unfair for the newspapers to handle it that way. However, that is the situation.

Senator, I don't know if he wants a fee; he will be paid.

The CHAIRMAN. The only point I am concerned about is: Is he going to be paid out of union funds?

Mr. FITZGERALD. Well, I don't know that, whether he would accept it out of union funds or not. But if he wants to be paid, I will pay it. It will be paid.

The CHAIRMAN. Then we get back to this.

You are going to pay it?

Mr. FITZGERALD. That is right.

The CHAIRMAN. Are you going to in turn bill the union?

Mr. FITZGERALD. I don't think so in this particular matter, because I think Mr. Hurst feels in this case that he has been treated somewhat unfairly by at least some of the press on it.

The CHAIRMAN. Well, you appreciate that will have to be an issue between Mr. Hurst and the press.

Mr. FITZGERALD. That is right.

The CHAIRMAN. I am not responsible for that.

Mr. FITZGERALD. I appreciate that.

Senator CURTIS. Where does Mr. Hurst live?

Mr. FITZGERALD. In Hot Springs, Ark.

Senator CURTIS. How long have you known him?

Mr. FITZGERALD. For a considerable number of years. Some long time.

Senator CURTIS. Does he have any law partners?

Mr. FITZGERALD. I don't know that. I don't know what his arrangement is. I don't know if he has an association or partnership.

Senator CURTIS. Who is in his office, if you do not know the arrangement.

Mr. FITZGERALD. I don't know that. I wouldn't exactly know. I know he has an office in Hot Springs. I have never been in his office. I know his telephone number and his home number.

Senator CURTIS. Who was the presiding judge in this trial?

Mr. FITZGERALD. Judge Matthews.

Senator CURTIS. Do you know whether Judge Matthews has any near relative that is closely associated if not a partner with Mr. Hurst?

Mr. FITZGERALD. Well, I don't know, of my own knowledge, and I don't think it is very fair to a Federal judge of Judge Matthews' standing to even inject such a question into this.

Senator CURTIS. I do not think Judge Matthews did it.

Mr. FITZGERALD. Then I don't think that I, as an attorney, Senator, would even think of approaching a person who sat on a Federal bench with any improper motives or hire an attorney to do such a thing.

Senator CURTIS. I am not suggesting the slightest impropriety. I want to inquire concerning persistent reports.

If they are not true, I would like to have it stated.

Mr. FITZGERALD. What are the reports, Senator?

If the Chair please, I question the pertinency of this.

However, I don't want it to be shrouded in mystery, either.

The CHAIRMAN. The only pertinency this has, as I have stated, is the question of a payment of a fee.

The Senator's question goes to the purpose of his employment.

I certainly would not want to reflect on Judge Matthews. I have the highest regard for her.

Mr. FITZGERALD. Certainly. I assure you there will be no union money used in the payment of the fee. So there will be no question about it.

Senator CURTIS. Have you hired Mr. Hurst in any previous cases?

Mr. FITZGERALD. Well——

(The witnesses conferred.)

Mr. FITZGERALD. I don't recall, and I don't think it is pertinent, Senator. I don't actually recall.

(At this point, Senator McNamara entered the hearing room.)

Senator CURTIS. That is all.

Mr. KENNEDY. In that connection, had you hired Mrs. Jefferson in any other cases?

Mr. FITZGERALD. No, let us clear that question up. The law of California on the doctrine——

Mr. KENNEDY. Just answer the question if you had or if you had not.

Mr. FITZGERALD. No.

The CHAIRMAN. Proceed.

**TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL,
GEORGE S. FITZGERALD—Resumed**

Mr. KENNEDY. Now, Mr. Brennan was here, also?

Mr. HOFFA. He was.

Mr. KENNEDY. And he charged a bill of \$422.03 to the union. Do you know anything about that? Excuse me, it is \$112.64.

Mr. HOFFA. Did Joe issue a check or did Joe pay it?

Mr. KENNEDY. What is that?

Mr. HOFFA. Did Joe issue a check from the union or did Joe pay the bill?

Mr. KENNEDY. It was teamster money according to the record we have.

Mr. HOFFA. I assumed he paid it by his local union and I could not tell you whether he had authority or not.

Mr. KENNEDY. What was he here for?

Mr. HOFFA. George has been my friend since I came into the teamsters union and he came here and I imagine he was here to make a report back to his members who are very interested in the fact as to what the outcome of the trial would be concerning myself, because they would be affected by the lack of advice from some unfortunate thing that would happen.

Mr. KENNEDY. He was here just to keep the membership advised on how things were going with Mr. Hoffa?

Mr. HOFFA. I imagine for his own personal satisfaction, and I can't tell you.

Mr. KENNEDY. If it was his own personal satisfaction, is the \$112.64 of union funds for his own personal satisfaction?

Mr. HOFFA. As I stated there is no use trying to change it, he would want to make a report back to his members, to keep them advised, and the only way he could do it would probably be to be here and also in getting some satisfaction out of it.

(At this point, Senator McNamara entered the hearing room.)

Mr. KENNEDY. Richard Kavner, he was here, also. What was he here for, \$469.89?

Mr. HOFFA. He was in here for several reasons. Richard Kavner has quite a few responsibilities and he was here to consult with myself on several of those problems and he was also during a period of time, he was here when I was occupied in court. He was in court listening to testimony.

Mr. KENNEDY. He came a number of different times, did he not?

Mr. HOFFA. He would normally have to come in to consult with myself concerning area happenings going on at the time.

Mr. KENNEDY. Where is he from?

Mr. HOFFA. St. Louis, his home.

Mr. KENNEDY. He came in on June 28 and you and he left the city.

Mr. HOFFA. Where did we go?

Mr. KENNEDY. He left on the 28th and you went home, did you not?

Mr. HOFFA. If you say we did, if you have the dates, all right.

Mr. KENNEDY. Was it impossible to consult by telephone or consult in the Midwest?

Mr. HOFFA. By the way you are tapping telephones, I don't know if a man should consult on the telephones, because it might be misconstrued.

The CHAIRMAN. Mr. Hoffa, this committee has tapped no telephones.

Mr. HOFFA. I am talking about various State regulations, sir.

Mr. KENNEDY. Have you ever tapped or had any tapped yourself?

Mr. FITZGERALD. Just a moment, if the court please—I am sorry, I mean Mr. Chairman, this is a matter under which there is a matter pending in New York.

The CHAIRMAN. The Chair will rule that that question is improper as asked and if asked if he has tapped telephones in connection with labor transactions, that question would be pertinent.

Mr. KENNEDY. Well, the only question I—the reason I brought it up at all, I might say, is the statement of Mr. Hoffa. But if you want me to rephrase it—

The CHAIRMAN. The question can only be asked this way: Did Mr. Hoffa or has Mr. Hoffa in the operation of the union's affairs, resorted to the action or act of tapping telephones.

That is the only thing that would be proper.

Mr. FITZGERALD. May I address the Chair for a moment?

Mr. Hoffa is now under indictment in the New York district court, Federal court, on a charge of conspiracy to tap telephones or to violate section 605. Now, I think—

The CHAIRMAN. Let me ask the question, is that in connection, or is that tapping in connection with union business?

Mr. FITZGERALD. Well, it is a New York indictment, Senator, and I cannot without going into all of the facts in the matter, I could not reach a conclusion. I actually do not think so. I actually do not think so. It does not involve—

Mr. KENNEDY. Actually, I am not interested in pressing it, and the only thing is that Mr. Hoffa brought the subject up, and I had not intended to discuss it.

The CHAIRMAN. I do not think that this committee should go into the pending case and it would not be proper.

The witness is not here as a defendant. He is not on trial before this committee for that act, or alleged act. But, if there is a practice among labor leaders of tapping telephones in the carrying on of union business, that would be pertinent to this inquiry, of course.

Mr. KENNEDY. Now, we have here a bill of \$21.66 of Mr. Louis.

Do you have any information on that?

Mr. HOFFA. I listened to Mr. Bellino's explanation yesterday, that he checked on it and that might be the explanation.

Mr. KENNEDY. What is the explanation of \$21.66 which you sent to the union?

Mr. HOFFA. I understood Mr. Bellino to say yesterday or the day before that somebody paid it, or they were reimbursed or something of that description.

Mr. KENNEDY. Do you know that for a fact?

Mr. HOFFA. No.

Mr. KENNEDY. Mr. Louis said when we interviewed him that he had not, that he expected to, although one of the gentlemen from the teamsters union said that he had received the money. Do you know anything about that?

Mr. HOFFA. Only from what Mr. Bellino made in his report and I couldn't report otherwise on the question.

The CHAIRMAN. Since we are on that, let us find out a little more about it, if you can tell us.

Who arranged for Joe Louis to come here? He is not a lawyer.

Mr. HOFFA. We intended to have several character witnesses in my particular case. It was under discussion by the lawyers as to whether or not we should or should not have them. We decided on several individuals, to use them for the purpose of standby or for them to come in on the question of having character witnesses.

I believe that I talked, and again I am trying to recollect because those were rather hectic days, I believe that I talked—just a moment. (The witness conferred with his counsel.)

Mr. HOFFA. The lawyer tells me, and they were the ones who discussed the question, as regards character witnesses. I discussed the question and I believe with several of our fellows concerning whether or not we should have character witnesses.

Now, as I say, those were hectic days and I don't recall all of the conversation, and George tells me that probably I am wrong in my trying to refresh my memory in regard to him coming in for that purpose. I don't know.

But in any event, he was here. I have known him for quite a while, and he was probably here as more friendship than anything else. I am not actually in the position to give you the full details.

Mr. KENNEDY. In that connection, our records show that Mr. Louis came in here on June 16. That was long before any character witnesses would have been put on trial by the defense.

Mr. HOFFA. We were trying to discuss whether or not we would. I don't know, as I say, I don't want to get tied down to the question of specifically what he was here for, and I can't tell you.

Mr. KENNEDY. You don't know why he was here?

Mr. HOFFA. I met him in court. I met him in the hotel, and he was my friend, and exactly what the purpose was, how he got here and whether he had other business, I don't know.

Mr. KENNEDY. Do you know what Mr. Dorfman had to do with it?

Mr. HOFFA. He is a very good friend of Joe Louis, and I don't know exactly whether or not he had much to do with it or not.

Mr. KENNEDY. Do you know why Mr. Barney Baker made arrangements to have Joe Louis' bill paid by the teamsters?

Mr. HOFFA. Barney was a fighter at one time, and I think Barney knows Joe Louis quite well.

Mr. KENNEDY. That is why he made arrangements for the teamsters to pay the bill?

Mr. HOFFA. I don't know whether he made arrangements for that, and Barney could have done it as a friend.

Mr. KENNEDY. The record shows, as a friend he is not charging it to his own bill, he is charging it to the teamsters.

Mr. HOFFA. I don't know if it was charged or not. I thought you said it was charged to Joe Louis.

Mr. KENNEDY. It was charged to the teamsters.

Mr. HOFFA. Well, now, I thought, or I had read somewhere it was charged to Joe Louis.

Mr. KENNEDY. It was charged \$21.66, hotel bill was charged to the teamsters union.

Mr. HOFFA. I don't have the answer.

Mr. KENNEDY. Do you know why Mr. Louis was calling Martha Jefferson from the hotel?

Mr. HOFFA. They may know each other, and I don't know.

Mr. KENNEDY. Did you have any conversation about it?

Mr. HOFFA. George tells me that they are friends.

Mr. KENNEDY. Did you know he was calling her or talking to her?

Mr. HOFFA. I wouldn't have any knowledge.

Mr. KENNEDY. He didn't mention that to you?

Mr. HOFFA. He didn't mention it to me that I recall.

Mr. KENNEDY. I want to go back into your relationship with Mr. Johnny Dio. We are going back to the early part of 1953. Did you get to know him fairly well during that period of time, the early part of 1953?

Mr. HOFFA. I got to know him, and I don't know how well.

Mr. KENNEDY. When these efforts were being made by you to get the UAW-AFL organization into the teamsters union, what position was Mr. Dio taking? Was he agreeing with you?

Mr. HOFFA. No, as I said yesterday, Mr. Dio would have liked to have continued on having the cabs organized in the UAW. They would have liked to have them organized.

Mr. KENNEDY. He would what?

Mr. HOFFA. As I said yesterday, Mr. Dio would have liked to have continued organizing the cabs in UAW-AFL.

Mr. KENNEDY. You were on one side and he was on the other; is that right?

Mr. HOFFA. At the beginning. That is why the meeting was arranged.

Mr. KENNEDY. That is why the meeting was arranged in New York?

Mr. HOFFA. In Florida, first.

Mr. KENNEDY. And subsequently in New York?

Mr. HOFFA. That is correct.

Mr. KENNEDY. And he still disagreed with you?

Mr. HOFFA. Well, as I stated, Mr. Doria was in the meeting in New York, and Mr. Doria being the president and he had the authority to make the decision. They were attempting to work out the solutions to the problem. As I said yesterday, I don't recall Mr. Dio taking quite as active part of the discussion as he would normally do if he was alone.

Mr. KENNEDY. Well, at this time, was he at this time opposing the UAW, his whole organization going into the teamsters?

Mr. HOFFA. No, as I said yesterday, the primary discussion was as to whether or not we would take in their organization as it was then existing.

Mr. KENNEDY. Without him?

Mr. HOFFA. Take in the officers.

Mr. KENNEDY. Who were the officers?

Mr. HOFFA. As I told you, I can only recall one name, and only then because it was refreshed on someone making a statement, a man named Norton, and I kind of remember the name Norton.

Mr. KENNEDY. What is there about the organization that you don't even know the names or just vaguely remember one officer, and what was it about the organization that appealed to you, if it wasn't in Dio's operations?

Mr. HOFFA. Mr. Kennedy, I believe that almost every organization, including the mine workers, district 50, tried to organize the cab-drivers in New York. And I don't think there was ever an organ-

ization started in the cab business. There was a strike and it was unsuccessful, if I recall.

I believe, and I believe today, that if we would have taken in then a nucleus that they had started with the officers who I understood were cabdrivers, we would probably have an organization of 30,000 new members in New York today.

Mr. KENNEDY. You understood that Mr. Dio was responsible for whatever activity they had had, or whatever success they had had?

Mr. HOFFA. Well, I wouldn't contribute any one man with success in any organizing drive.

Mr. KENNEDY. Well, you knew he was responsible for the local, did you not?

Mr. HOFFA. I don't know whether he was or not. I believe somebody said he was the term manager. I don't think he was an officer.

Mr. KENNEDY. Mr. Hoffa, that does not make any sense.

Mr. HOFFA. Why doesn't it?

Mr. KENNEDY. On February 9 you testified yesterday you made arrangements for a meeting in Miami, Fla.

Mr. HOFFA. Through Tony Doria.

Mr. KENNEDY. And you made arrangements for Johnny Dio to come down and meet in Miami, Fla.

Mr. HOFFA. I did not say that. I said Doria did.

Mr. KENNEDY. And you said through the arrangements that you talked to Johnny Dio about it.

Mr. HOFFA. Just a moment. There were several conversations yesterday and if my recollection serves me right from yesterday, Doria arranged to have Dio, I believe, come to Florida to discuss the question, and then we met in New York and rediscussed the question with both of them present.

Mr. KENNEDY. Once you got down to Florida, then, and Dio was there representing the cabdrivers, you must have understood then that Dio was the one who was responsible for the cab organization.

Mr. HOFFA. Not necessarily, because I understood that Dio was somewhat in charge of the New York situation for the UAW-AFL. So it would not surprise me if it being a division or a charter of the UAW-AFL that he could become involved in that particular discussion.

Mr. KENNEDY. Well, now, he was not keeping you advised as to how he was doing with his organizational drive with the taxicabs?

Mr. HOFFA. I don't know if he did or not. I may have discussed it. I can't tell you.

Mr. KENNEDY. You cannot remember that?

Mr. HOFFA. No.

Mr. KENNEDY. You cannot remember now what position Dio had with the taxicab drive in New York. Is that what you are testifying to before this committee?

Mr. HOFFA. I am saying that I do not recall to the best of my recollection, a discussion of that subject. I may have had it. He may have told me. I don't recall.

Mr. KENNEDY. Mr. Hoffa, I am not asking you just about one discussion. I am saying that you met and discussed with Mr. Dio a number of different times in this period of time.

Senator Ives pointed out the other day and you did not take objection to it, exception to it, that you had a very good memory. It amazes me that you have such a poor memory about your relationship with Johnny Dio during these months in 1953.

Mr. HOFFA. It may amaze you, but I assure you that my memory, as the best that I could recall at this moment, is such that I cannot recall those conversations, if there were such.

Mr. KENNEDY. Were you meeting with Mr. Norton? That is a name that you said you could remember. Other than the one meeting that you said you might have met him, did you—

Mr. HOFFA. I said the reason I recognized that the name Norton was familiar was because I read that somebody testified here that he was in a meeting and it does kind of refresh my memory to the effect that he may have been there.

Mr. KENNEDY. If you were so impressed with the organization of the UAW-AFL and you say this was not because of Johnny Dio, you must have been impressed with somebody.

Who were you impressed with that you wanted to bring into the teamsters?

Mr. HOFFA. I was impressed with 30,000 people that I believe could be organized in the cab industry in New York.

Mr. KENNEDY. Why did you believe they could come in under the teamster organization? Are you not a great teamsters? Why did you want Johnny Dio to write them in?

Mr. HOFFA. They had an organization which, apparently, had been started out successfully, to get some applications. They had had some strikes, I believe, and I was of the opinion that if they were that successful, it would certainly be to our advantage to start new, but to use the nucleus that was there.

Mr. KENNEDY. Did you make an investigation of their activities up there?

Mr. HOFFA. I do not know if I did or not.

Mr. KENNEDY. Then you took Mr. Dio's word for what they were doing?

Mr. HOFFA. No, maybe not. Maybe I did. Maybe I looked at the cab situation. I don't know.

Mr. KENNEDY. Is it not a fact, Mr. Hoffa, that you objected to Tom Hickey in New York, that you felt that you wanted to get a foothold in New York, and that you wanted to do it through the UAW-AFL organization and Johnny Dio by bringing them into the teamsters organization? Is that not a fact? That you wanted to circumvent Hickey, that you wanted to establish a foothold in New York for yourself and that is the basis of this friendship with Johnny Dio?

Mr. HOFFA. Mr. Kennedy, Mr. Hickey was never a problem for Hoffa in New York and isn't a problem today.

The CHAIRMAN. That does not answer the question. Let us get the answers and then we can move faster. Repeat your question.

Mr. KENNEDY. Isn't it a fact that you were attempting to bring Johnny Dio and the UAW-AFL organization into the teamsters to get a foothold in New York City and be able to circumvent Tom Hickey?

Mr. HOFFA. I was attempting—

Mr. KENNEDY. Would you answer the question "yes" or "no," Mr. Hoffa.

Mr. HOFFA. I cannot answer a question "yes" or "no" of that nature.

Mr. KENNEDY. You can't answer the question of whether you were trying to bring—let me repeat it.

The CHAIRMAN. Let him answer. Let us get his answer.

Mr. HOFFA. You are asking did I want to bring the UAW into the teamsters union for the purpose of circumventing Hickey. Is that the question?

The CHAIRMAN. Yes. I think you can answer that "yes" or "no."

Mr. HOFFA. I would say that I was not attempting to bring in the UAW to circumvent Hickey as the sole reason for bringing them in or any reason.

The CHAIRMAN. All right, then, your answer is "No."

Mr. HOFFA. I would say the answer could be construed as "No."

The CHAIRMAN. Well, how do you construe it?

Mr. HOFFA. I would have to say it would be "No."

The CHAIRMAN. All right. Now, let us proceed.

Senator CURTIS. What were the other reasons?

Mr. HOFFA. 30,000 unorganized members, potential members, in the New York area for the teamsters union.

Senator CURTIS. Did you ever meet Dioguardi's family?

Mr. HOFFA. I certainly did.

Senator CURTIS. How many times have you met his family?

Mr. HOFFA. Well, I would say several. I could not give you the number of times.

Senator CURTIS. Have you ever met them any place other than in New York?

Mr. HOFFA. Yes.

Senator CURTIS. Where?

Mr. HOFFA. Florida.

Senator CURTIS. Whereabouts in Florida?

Mr. HOFFA. Miami.

Senator CURTIS. Any place else?

Mr. HOFFA. Not that I recall, Senator.

Senator CURTIS. You met them in New York?

Mr. HOFFA. Yes, sir.

Senator CURTIS. Have you ever been in the Dioguardi home?

Mr. HOFFA. No, sir.

Senator CURTIS. Where would you meet the family?

Mr. HOFFA. I believe that I had, I think, dinner with them one time, and I may have met them other places. I can't recall.

Senator CURTIS. What family does he have?

Mr. HOFFA. He has a wife and two children, to my knowledge.

Senator CURTIS. And you have met all three of them at dinner?

Mr. HOFFA. Yes.

Senator CURTIS. More than once.

Mr. HOFFA. I believe so.

Senator CURTIS. Were you ever the host at a dinner for the Dioguardi family?

Mr. HOFFA. I could have been.

Senator CURTIS. Well, were you?

Mr. HOFFA. I can't recall.

Senator CURTIS. But you did meet the entire family socially on several occasions.

Mr. HOFFA. I met them on, I believe, more than one occasion. How many times I could not tell you, Senator.

Senator CURTIS. In Miami and in New York.

Mr. HOFFA. Yes, sir. That is the only place that I can recall that I met the family.

Senator CURTIS. You may have met them elsewhere?

Mr. HOFFA. Well, it may have happened, but I don't recall it if it did.

Senator CURTIS. Of course, you have seen him many times when his family was not along?

Mr. HOFFA. Yes, sir.

Senator CURTIS. That is all.

Mr. KENNEDY. Just what was Mr. Dio's position toward the bringing, according to you, bringing the UAW-AFL organization of the taxicabs into the teamsters organization without him? What was his position on that? How did he feel?

Mr. HOFFA. Just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. You say how did he feel?

Mr. KENNEDY. Yes.

Mr. HOFFA. Well, I would not be able to judge his feeling, I don't believe.

Mr. KENNEDY. Now, Mr. Hoffa—

The CHAIRMAN. What was his attitude about it.

Mr. HOFFA. Well, as I told you, sir, he would like to have continued on, from the impression I got, of organizing cabdrivers in the UAW-AFL.

Mr. KENNEDY. So he was opposed to you?

Mr. HOFFA. He was opposed—

Mr. KENNEDY. If your statement is correct, Mr. Hoffa, that you were not interested in bringing Mr. Dio into the teamster organization, then it must follow that he was opposed to you and what you were trying to do, because you were trying to bring the organization in without him.

Mr. HOFFA. I don't know how we would mean that he was opposed for that simple reason. We could have a difference of opinion, a difference of views, but I don't think it would necessarily mean that you were opposed.

Mr. KENNEDY. Then you felt differently about it.

Mr. HOFFA. Well, I would think at first we did.

Mr. KENNEDY. When did you change?

Mr. HOFFA. Well, I believe after the meeting with Doria, and I can't recall the particulars.

Mr. KENNEDY. Now, what do you mean—the meeting with Doria?

Mr. HOFFA. There was a meeting, so I am informed, and I believe there was, to the best of my recollection, with Doria, Dio, Beck, Norton, Hickey, and Hoff, concerning this problem.

Mr. KENNEDY. And that is the meeting that Mr. Hickey has testified that you argued very strenuously, strongly, for bringing Dio into the teamsters union. You say that that is untrue, but you say that Mr. Doria was there, and that the attitude of Dio changed after this meeting.

Mr. HOFFA. Well, I did not first of all say that it was untrue. I say it might have been his interpretation, but insofar as the meeting

was concerned, I was interested in bringing the cabdrivers into the teamsters union, and I believe that I was right in my suggestion.

Mr. KENNEDY. What was Mr. Dio's position? That meeting was some time in May of 1953. What was Mr. Dio's position prior to that time? What was his attitude?

Mr. HOFFA. As I said before, Mr. Dio wanted to continue organizing the cabdrivers in the UAW. However, Tony Doria being the president, or excuse me, secretary-treasurer, realized that he didn't have the jurisdiction and was discussing the question of trying to arrange to bring that organization of cabdrivers into the teamsters.

Mr. KENNEDY. Did you want to bring at that point, in 1953, May of 1953, Dio into the teamsters?

Mr. HOFFA. Did I want to bring him in?

Mr. KENNEDY. You heard me.

Mr. HOFFA. Mr. Kennedy, let me say this: I was interested in bringing the cabdrivers into the teamsters.

Mr. KENNEDY. Would you answer the question?

Mr. HOFFA. I will. If it would have been necessary to bring Dio in, and I would have had the authority to do it and I could have organized the 30,000 unorganized cabdrivers, I would have recommended it.

The CHAIRMAN. Did you recommend it?

Mr. HOFFA. I can't recall, sir, that I did, because, as I said, President Beck clearly indicated in Florida that it wasn't acceptable, and I cannot recall any other discussion on the matter.

The CHAIRMAN. If it wasn't acceptable then, why was it pursued?

Mr. HOFFA. I don't believe, sir, that it was pursued, because it was the organization that pursued it.

The CHAIRMAN. The Florida meeting ended the thing.

Mr. HOFFA. I think it did, to the best of my recollection. I may have discussed the question again, and I can't recall.

The CHAIRMAN. Why were the other meetings held?

Mr. HOFFA. It was to bring in the organization.

The CHAIRMAN. To bring in the organization?

Mr. HOFFA. Yes.

The CHAIRMAN. You were having those negotiations continuously with Mr. Dio, were you not?

Mr. HOFFA. I can't recall too many meetings on this subject with Mr. Dio, and it seems to me—

The CHAIRMAN. Did you meet with him on other subjects?

Mr. HOFFA. At this particular time, no, I don't believe I did, Senator.

The CHAIRMAN. All right.

Mr. KENNEDY. In this meeting in May of 1953, was Mr. Dio's position on these taxicabs and the taxicab organization different from yourself?

Mr. HOFFA. You are talking about the first meeting in New York?

Mr. KENNEDY. Yes, I am talking about the meeting of May of 1953. Were there several meetings in New York?

Mr. HOFFA. As I said, Tony Doria did most of the discussing, the best I can recall, any meeting we were together, and there is only one I can recall, and I don't know exactly what was discussed at that meeting.

Mr. KENNEDY. Did you discuss the strategy that you would use at that meeting with Mr. Dio, prior to the meeting?

Mr. HOFFA. I don't believe I did. I may have, but I don't believe so.

Mr. KENNEDY. Now, that is something that you can't recall either?

Mr. HOFFA. That is correct.

Mr. KENNEDY. You can't remember anything really about your relationship with Mr. Dio and these taxicabs?

Mr. HOFFA. 1953 is quite a while back, and I have had many meetings since, and I can say here to the Chair that I cannot recall in answer to your question other than to say I just don't recall my recollection. If you can tell me I did, maybe some incident will be able to refresh my memory.

Mr. KENNEDY. This is a relatively or must have been an important matter Mr. Hoffa. You went to Miami and met with Dave Beck and you went to New York and had a meeting there, and you had a number of conversations with Doria, and you had a number of conversations with Mr. Dio, and I would think that you would have a little clearer recollection as to what went on than you seem to have, especially since Senator Ives said you had such a good memory on some things.

Mr. HOFFA. I can only say this to you: Any time you are trying to organize 30,000 unorganized workers, it is very important. But the details, after they are worked out, don't remain in your mind on any organizational drive unless there is something specifically brought to your attention that you can recall. I honestly don't recall some of the incidents you must be talking about.

Mr. KENNEDY. After this meeting in May of 1953, you say that Mr. Dio's attitude changed, and what did his position become then?

Mr. HOFFA. I believe that the negotiations were carried on after that meeting with Mr. Mohn, and Mr. Beck, and I believe Mr. Doria, and I think, as I said yesterday, there was a meeting and I can be wrong again, but I don't think so, there was a meeting in Lacey's office concerning that question. I believe there may have been a discussion in our international office concerning that question.

Mr. KENNEDY. Did you propose to Mr. Lacey at that time that Dio get a charter?

Mr. HOFFA. Mr. Lacey wouldn't have anything to say about it, I don't believe.

Mr. KENNEDY. Did you propose to him at that time that he get one?

Mr. HOFFA. I can't recall the discussion concerning that. I think the discussion was as to whether or not he would cooperate in organizing taxicabs.

Mr. KENNEDY. Again for another time, did you discuss with him Dio getting a charter from the teamsters?

Mr. HOFFA. Did you say I discussed it again?

Mr. KENNEDY. Well, let me rephrase it. Did you discuss with Mr. Lacey Mr. Dio getting a charter from the teamsters?

Mr. HOFFA. I can't recall.

Mr. KENNEDY. You can't recall that either?

Mr. HOFFA. Well, sir, I don't believe that such a discussion would take place, because Lacey wouldn't have that problem.

Mr. KENNEDY. I don't want to know what you don't believe, but what were the facts? Did you discuss with Mr. Lacey, Mr. Dio getting a charter from the teamsters?

Mr. HOFFA. I cannot recall that, whether or not it was discussed or not, since you don't want my belief and I can't answer.

Mr. KENNEDY. You can't answer that question, and you don't recall that either?

Mr. HOFFA. I don't recall at this moment, no.

Mr. KENNEDY. Now, you say Mr. Dio's attitude changed. How did it change, and what did his attitude become?

Mr. HOFFA. I didn't say that. You said that. I said that since Mr. Doria had taken a position that the jurisdiction wasn't their jurisdiction, and the discussion I believe was carried on as I stated by Mr. Mohn and Mr. Beck and Mr. Dario and other individuals concerning the question of what would happen with the final outcome of bringing the taxicabs of the UAW into the teamsters union, and also in connection with the question, I believe I had a meeting also in the international office.

Mr. KENNEDY. Mr. Hoffa, you are being very evasive and you are not answering any of the questions. You are giving a speech every time I ask you a question.

Would you listen to the question?

Mr. HOFFA. To the best of my recollection.

Mr. KENNEDY. You gave me a speech that had nothing to do with the question.

Mr. HOFFA. What was the question?

Mr. KENNEDY. Would you read it back to him?

(The pending question and answer were read by the reporter.)

Mr. KENNEDY. That is fascinating, but it doesn't answer the question.

Mr. HOFFA. It still has to be that to the best of my recollection—

Mr. KENNEDY. Give me to the best of your recollection. You testified here that you were on one side, and Mr. Dio had a different point of view, that you had a meeting in New York, and that Mr. Dio's attitude changed, and now how did it change?

Mr. HOFFA. Well, I didn't testify there were two sides.

Mr. KENNEDY. Mr. Hoffa, you testified on this, and I used the word "oppose," and you wanted to change it to "difference." The chairman and you had an exchange about it. I have written the word down here.

Now, after the meeting, his attitude changed on this, and I want to find out from you how his attitude changed.

Mr. HOFFA. As I stated, the best that I can say, and the best of what I can reconstruct from my recollection—

Mr. KENNEDY. That is qualifying it enough.

Mr. HOFFA. It was carried on with Mr. Mohn and Mr. Beck and Mr. Doria, and I may have made some phone calls concerning it.

Mr. KENNEDY. All I want to find out—

Mr. HOFFA. The question was finally resolved.

Mr. KENNEDY. How did Mr. Dio's attitude change?

The CHAIRMAN. The question is just simply, did he change to your point of view, or did he get further away?

Mr. HOFFA. It was finally resolved. That is all I can say.

The CHAIRMAN. Resolved in your favor?

Mr. HOFFA. We had to finally issue a new charter in the area and not take over the UAW.

(Members of the select committee present at this point: Senators McClellan, McNamara, and Curtis.)

Mr. KENNEDY. What did Mr. Dio do? Did he accept that?

Mr. HOFFA. He no longer organized cabdrivers.

Mr. KENNEDY. Did he accept that? Did he come over and agree with your position then?

How did his attitude change? How did it become different? You said it became different after the meeting. I am trying to find out from you how it became different.

Mr. HOFFA. The attitude of Mr. Dio could not be reflected in the outcome, because the outcome was such that Mr. Dio no longer organized cabdrivers and Mr. Beck decided to issue a charter and not take in their organizers or their organization.

Mr. KENNEDY. Did you have any conversations with Mr. Dio after this meeting in New York?

Mr. HOFFA. I may have had. I don't recall.

Mr. KENNEDY. Was he happy with the results of the meeting?

Mr. HOFFA. Well, I don't recall whether he was happy or unhappy, Mr. Kennedy.

Mr. KENNEDY. What did he say to you? What conversations did you have with him about it after the meeting?

Mr. HOFFA. Well, I just don't recall exactly what conversations we had. He accepted my decision in organizing cabdrivers, so that must have been the answer to the problem.

(At this point, Senator Mundt entered the hearing room.)

Mr. KENNEDY. Well, I am astounded at your qualification of every answer to every question that I am asking you about this matter.

Mr. HOFFA. Because you are trying to have me remember back to 1953 of an incident which I can't recall.

The CHAIRMAN. Mr. Hoffa, the Chair will state to you that this is a pretty important aspect of this inquiry.

Mr. HOFFA. I realize that, sir.

The CHAIRMAN. I am not able to say that you do not remember, but it will be helpful to the committee if you can remember for your testimony with reference to it.

Mr. HOFFA. Well, in respect to the Chair, I will say if you have something that can refresh my memory, I may be better able to recall the incidents that took place.

The CHAIRMAN. Well, we may have.

Proceed.

Mr. KENNEDY. Mr. Hoffa, what about Mr. Hickey? What was your attitude—let me ask you this: Did you propose that a teamster would head up this organization, or did you want a UAW-AFL man to head it up?

Mr. HOFFA. Well, as I stated, my position was that we should take over the existing board of the UAW, which were taxicab drivers.

Mr. KENNEDY. So that would be a teamster charter given to the UAW-AFL officials?

Mr. HOFFA. Into effect.

Mr. KENNEDY. So that the individuals, at least, that Dio had brought into the labor union movement in this local 102 would be in charge of the operation for the teamsters?

Mr. HOFFA. Well, I can't tell whether or not they were elected or selected by Dio, so I could not answer your question.

Mr. KENNEDY. Then let us assume—let us not assume either one. This is a local that was founded by Dio, established by Mr. Dio, and he was the chief official of the local, obviously, and the chief official of the operations in New York. He was in charge of this local.

Did you want the individuals that either had been elected by this membership or appointed by him to head up the organization of cab-drivers in the teamsters?

Mr. HOFFA. I argued very strongly for that point, and I still believe that I was correct.

Mr. KENNEDY. So you were going to be opposed to having a teamster appointed or a teamster official or Mr. Hickey operate this drive in New York. You wanted the people from the UAW-AFL to operate the drive with a teamsters charter, is that right?

Mr. HOFFA. Well, I would not quarrel with that position, I would say you were right.

Mr. KENNEDY. During this period of time, were you trying to get some material, some derogatory information on Mr. Hickey so you could use it against him so that he would not be able to get this charter himself?

Mr. HOFFA. I don't quite understand what you mean by that.

Mr. KENNEDY. Let me repeat it for you, Mr. Hoffa.

Were you trying to get any information to try to embarrass Mr. Hickey during this period of time?

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I don't know what you are talking about. If I wanted information on Mr. Hickey, I probably knew Mr. Hickey quite a while before this. So I don't know.

Mr. KENNEDY. You wanted to get the UAW organization into the teamsters. Mr. Hickey was opposed to that.

One way is a positive approach and the other way is an approach of knocking Mr. Hickey down.

Were you trying, during this period of time, in order to build up Mr. Dio's organization, were you trying to get some embarrassing information on Mr. Hickey?

That is what I am asking you.

Mr. HOFFA. Well, I can't recall doing it.

I may have—

Mr. KENNEDY. Have done it?

Mr. HOFFA. No. Just a moment. I may have taked to some people concerning what Mr. Hickey was talking about in the international union. I don't just recall.

Mr. KENNEDY. You can't recall that either?

Mr. HOFFA. No, I cannot.

Mr. KENNEDY. Here is a vice president of the teamsters, and I am asking you whether you were trying to get derogatory or embarrassing information on Mr. Hickey, and your answer to that question is "I cannot recall"? And you were a vice president and Mr. Hickey was a vice president? Your testimony before this committee is "I cannot recall," is that right, Mr. Hoffa?

Mr. HOFFA. Mr. Kennedy, I don't really know what you are talking about, so I can't recall doing such a thing.

If you have some information that can refresh my memory, I will be glad to try and cooperate.

Mr. KENNEDY. I will leave the record like that.

Maybe we can get something that will refresh your recollection.

Mr. HOFFA. All right.

Mr. KENNEDY. Then you can help us some more.

The CHAIRMAN. All right. Proceed.

Mr. FITZGERALD. May I address the Chair for a moment?

Will my same objection that I made earlier to the use of the recordings from wire interceptions be——

The CHAIRMAN. The same objection by reference will be noted.

Mr. FITZGERALD. Thank you very much.

The CHAIRMAN. And the same ruling by the Chair will stand.

Proceed.

Provide counsel and the witness with a copy of the transcript.

So that we may get this in its proper perspective, the Chair will announce that this telephone conversation, according to the official record, took place on March 10, 1953.

Mr. KENNEDY. And, Mr. Chairman, I would like to point out also in connection with this telephone conversation that this is the first of a group that will bear on Mr. Hoffa's testimony and might help him refresh his recollection.

The CHAIRMAN. This is one of a series? You have others?

Mr. KENNEDY. Yes.

The CHAIRMAN. In connection with the matters you have been interrogating him about?

Mr. KENNEDY. Yes. In connection with Mr. Dio and Mr. Hoffa.

The CHAIRMAN. All right.

(Transcript of telephone conversation between Johnny Dio and Jimmy Hoffa on March 10, 1953, follows:)

JOHNNY DIO (inaudible).

JIMMY HOFFA. I feel fine.

DIO. Everything all right?

HOFFA. Fine; good.

DIO. Good. Did you get my letter?

HOFFA. No; I didn't get——

DIO. Well, I mailed out some of that stuff; I guess you should get it tomorrow——

HOFFA. I haven't been in the office all day, John; I just came in.

DIO. Uh-huh. Yeah, well I mailed out some of those circulars and some of the stuff that has been going on—you said you wanted me to send it to you.

HOFFA. What happened in the court today?

DIO. Ah, that was yesterday. We're waiting for a decision now——

HOFFA. I thought it was ——

DIO. Ah, yes, we—we, ah, defended it without telling them, "Well, now, you prove it; we have nothing to prove."

HOFFA. Well, how was the A. F. of L.? Did they—did they go in to say you still had a charter, didn't they?

DIO. Yeah, nobody said anything against it.

HOFFA. That's right. Because I—Dave Priviant talked to Beck about three times——

DIO. Uh-huh.

HOFFA. I talked to him about a half-dozen times——

DIO. Uh-huh.

HOFFA. And he seemed to be all right. Now I understand Dave's meeting somebody in Chicago——

DIO. Uh-huh.

HOFFA. From New York on the 16th——

DIO. Uh-huh.

HOFFA. Somebody was putting in the rap against you; I don't know who the h— he is—

DIO. Uh-huh.

HOFFA. Well, we'll be there anyway—

DIO. Yeah, well he told me—he told me, ah, that I may have to be on tap—

HOFFA. Yeah; but when it comes up, we'll be there anyway—if any G— trouble, we'll be there to defend it.

DIO. Uh-huh.

HOFFA. I'll be at that meeting.

DIO. Well—wh—ah—they told me; I was told that maybe I should stay around—that—to be ready to come out there.

HOFFA. I think definitely so.

DIO. Oh, well, I'll be around.

HOFFA. Because I wouldn't let them — around.

DIO. That's right. So, ah-h-h-h—in the meantime—ah, did you talk to that Hickey guy?

HOFFA. I talked to Hickey.

DIO. Yeah?

HOFFA. He promised me that he would straighten that situation out; there would be no more interference at where you're having elections or anything else if you'll just let him know where, where you're working and he'll keep the h— out of there.

DIO. Uh-huh; all right—

HOFFA. And I told him you would call him and tell him.

DIO. Uh-huh. Well, maybe it might be a good idea for Monday th— for me to be there anyway.

HOFFA. Yeah.

DIO. Monday or Tuesday, huh?

HOFFA. I don't think it would hurt.

DIO. All right.

HOFFA. I think he definitely promised me he'd keep the h— out of it.

DIO. Yeah. Well, in any—any event I'll get in touch with him tomorrow and give him a rundown just in case so they'll be no mistakes on it.

HOFFA. Uh-huh.

DIO. All right.

HOFFA. Right.

DIO. All right; then we'll wait until then.

HOFFA. O. K., Johnny.

DIO. All right, Jim; thanks a million.

HOFFA. Righto.

DIO. Right.

HOFFA. O. K.

DIO. Bye.

The CHAIRMAN. Do you want to interrogate the witness regarding any statement in here?

Mr. KENNEDY. Does this refresh your recollection at all, Mr. Hoffa?

Mr. HOFFA. I have read the statement.

Mr. KENNEDY. Does it refresh your recollection at all?

Mr. HOFFA. Not necessarily.

(The witness conferred with his counsel.)

Mr. KENNEDY. Do you want to talk to your attorney?

Mr. FITZGERALD. Pardon me just a minute.

(The witness conferred with his counsel.)

Mr. KENNEDY. Evidently there was some opposition from the AFL regarding Mr. Dio's charter?

Mr. HOFFA. Well, I stated before that the AFL had made the statement that the UAW didn't have jurisdiction over cabdrivers.

Mr. KENNEDY. And you were strongly opposed to that, to the position of the AFL at that time, I take it, from this conversation?

Mr. HOFFA. Well, now, how could that be when I was talking to Dio and to Beck about trying to get them out of the cab business into our organization?

Mr. KENNEDY. Well, how was the AFL? Did they go in? "Did they go in to say you still had a charter, didn't they" and Dio answered, on page 1, "Yeah, nobody said anything against it," and Hoffa, "That's right, because I—Dave Previant talked to Beck about three times," and then Hoffa, "I talked to him about a half dozen times."

You were conversing with Mr. Beck to make sure there wasn't this opposition by the AFL to Mr. Dio's charter at that time?

Mr. HOFFA. Well, now, I read some testimony, Mr. Chairman, if I may, this is not a direct answer, but I would have to answer it, if I may, by making a statement about some testimony here which I had no knowledge, which may be the answer.

Would that be all right?

The CHAIRMAN. I do not want to keep you from answering any question. All right.

Mr. HOFFA. The only way that I can answer what you just said is that I read somewhere in some testimony here that there had been a question raised by the AFL in regards to the UAW organizing taxi drivers, and it was a problem, I believe, in front of the AFL for discussion. While our negotiations were going on, and attempting to get them out of the cab business, I could have very well made this phone call, but I don't recall the phone call.

Mr. KENNEDY. Let me just tell you what the AFL's position was on it. The executive council's call for revocation of the charter of automobile union, New York local, came after investigation by a 9-month-old antiracketeering committee headed by Mr. Meany. He said that the investigation had convinced the executive council that the New York charter had been issued to persons with unsavory backgrounds, who had no visible connection with the union movement, and they were operating outside the assigned jurisdiction of the parent union.

Involved is local 102.

Mr. HOFFA. Well, that could be the answer to this telephone conversation.

Mr. KENNEDY. This was a question. No. 1, I would like to point out that it wasn't just the question of the fact that they didn't have jurisdiction, but it was also the fact that an antiracketeering committee had made a 9-month study and found the individuals that were running and operating local 102 were people with unsavory backgrounds. The first point in here, and this is February 1953—

The CHAIRMAN. In order to get a proper perspective, this is quoted from the New York Times of February 3, 1953. That was prior to the date of the telephone conversation.

All right.

Mr. KENNEDY. No. 1, from the transcript it is clear that you knew what was going on as far as Mr. Dio's operations in New York. You asked him what happened in court today, and he gave you an account of it.

No. 2, that you had spoken to Dave Previant to intervene with Dave Beck in connection with Mr. Johnny Dio's operation.

No. 3, that you stated that you talked to Mr. Dave Beck in connection with Mr. Dio's operations a half dozen times.

The CHAIRMAN. Let me ask a few questions.

Follow the transcript, Mr. Hoffa.

On page 1, Dio says:

Uh-huh. Yeah, well I mailed out some of those circulars and some of the stuff that has been going on—you said you wanted me to send it to you.

What was the circulars and the stuff going on?

Mr. HOFFA. Well, I just cannot recall what particular circulars they are talking about, Senator. I just can't do it. Unless someone can show me one, I just can't recall.

The CHAIRMAN. You asked him what happened in court today.

Mr. HOFFA. I can answer that, I believe.

The CHAIRMAN. All right. What was that?

Mr. HOFFA. We had been discussing during our conversations about the taxicab union, that some kind of a—I think a hack bureau they call it—was the one that handled the complaints against cabdrivers, and there were some proceedings trying to change, I believe, that regulation concerning cabdrivers, which would have affected us whether they were in the UAW or the teamsters so far as cabdrivers are concerned.

That is the best I can recall as to what that would mean, Senator.

Mr. KENNEDY. I can refresh your recollection.

Mr. HOFFA. All right, if you can.

Mr. KENNEDY. It was discussing a hearing before the New York State Labor Relations Board.

Mr. HOFFA. That could be it.

Mr. KENNEDY. Which was held on March 9, 1953, and in which local 102, UAW, was a petitioner for certification in three separate cases involving the following companies: Flora Corp., Brooklyn, Chase Maintenance Corp, Manhattan, and Home Taxi Service Corp., the Bronx.

So you were asking him a question in connection with his appearance before a board in connection with the drive on the taxicabs.

The CHAIRMAN. Is that correct?

Mr. HOFFA. Well, sir, if it is stated there, it could very easily be that or as to the hack bureau. I tried to give you my best recollection.

Apparently it was wrong.

Mr. KENNEDY. And putting it in correct perspective, this was in opposition to the organization that the teamsters were operating at that time in attempting to organize the taxicab drivers, because you had been informed by telephone, in the transcript we read yesterday, on February 26, that Mr. John Strong and the teamsters were organizing or trying to organize the taxicabs.

Mr. HOFFA. My answer would have to be the same as yesterday, that if the problem of getting the UAW out of the taxicab business was pending and under discussion, it would probably have been to keep from irritating the situation that I would make such a statement.

Senator MUNDT. Who is Dave Previant?

Mr. HOFFA. An attorney at law, sitting right back here, sir.

Senator MUNDT. When he talks to Beck, he talks for you? He was representing you?

Mr. HOFFA. Dave Previant represents the central conference, as our attorney, or the central States drivers council and central States conference.

Senator MUNDT. Could Mr. Previant refresh your memory as to what those conversations with Beck were about?

Mr. HOFFA. I could ask him if you want me to.

Senator MUNDT. Would you do that?

(The witness conferred with Mr. Previant.)

The CHAIRMAN. Shall we proceed?

Mr. HOFFA. He asked me to ask the lawyer for some information.

The CHAIRMAN. All right, let us proceed.

Mr. HOFFA. He informs me that the best he can recall was the question that he was also the attorney for the UAW, and President Beck was talking to him about how you would be able to take the UAW local cab operation into our organization.

Senator MUNDT. Do I understand at that time he was attorney for both the teamsters and the UAW?

Mr. HOFFA. Yes, sir.

Senator MUNDT. Is that still true?

Mr. HOFFA. I think so; yes, sir.

The CHAIRMAN. The next question I would like to get some explanation on, Mr. Hoffa, is, "Well, how was the A. F. of L.? Did they—did they go in to say you still had a charter, didn't they?" What were you talking about?

Mr. HOFFA. Again I think, sir, it must have referred to the fact that they were talking about what Mr. Kennedy just read, the giving up of the particular cab chartered local, and we were attempting to hold this thing in abeyance until we could work it out. I would assume that is what this conversation would be about.

The CHAIRMAN. Well, then, you proceed to talk to Mr. Beck a half a dozen times. What were you talking to him about?

Mr. HOFFA. I may have been talking to him, and again this is from just trying to reconstruct from this language, and knowing what normally would happen in this type of an instance, I may have been talking to President Beck about the fact that the situation should not be irritated in New York, and endeavored to work it out without losing that organization and start rebuilding an entirely new organization.

The CHAIRMAN. Well, Dio reported to you, "That is right." "Nobody said anything against it."

Mr. HOFFA. Sir, President Beck—

The CHAIRMAN. Who was Meany going to meet in Chicago? You seemed to know, from New York.

Mr. HOFFA. I think, sir, that is in reference to Previant going to meet somebody in New York, or in Chicago.

The CHAIRMAN. And not Beck.

Mr. HOFFA. Yes, sir.

The CHAIRMAN. Who was he to meet from New York?

Mr. HOFFA. I don't know. Maybe I could find out if you want me to consult with him.

The CHAIRMAN. Do you recall?

Mr. HOFFA. No, sir.

The CHAIRMAN. You seemed to know at the time.

Mr. HOFFA. I probably did.

The CHAIRMAN. What do you mean here, when you say to him, "somebody was putting in the rap against you; and I don't know who the H— he is." Who did you mean? A rap against whom, and what kind of a rap?

Mr. HOFFA. Now I imagine somebody was trying, and again I am trying to reconstruct this, and I imagine someone was trying to pick up the charter prior to us having an opportunity to bring that organization into ours. I assume that it what it was.

The CHAIRMAN. You mean you do not refer to a legal rap, a criminal rap?

Mr. HOFFA. I would not say that at all, sir.

The CHAIRMAN. You do not know?

Mr. HOFFA. Well, the context of the telephone conversation does not indicate it, sir.

The CHAIRMAN. I do not know, a rap; maybe I am not familiar with all of its usages.

Mr. HOFFA. It is a complaint, sir.

The CHAIRMAN. Taking a rap, it may be a complaint. All right. We will call it that. What kind of complaint or rap was it against Dio?

Mr. HOFFA. As I say, I don't recall, I am just trying to reconstruct and it says the charter was under discussion. It could very well have been pertaining to that, and I can't recall it and I am trying to follow this conversation and it could have pertained to that.

The CHAIRMAN. Then you say, "Well, he will be there anyway." "We will be there." Who is "we"?

Mr. HOFFA. I would not be able to tell you at this moment.

The CHAIRMAN. It would include you; would it not?

Mr. HOFFA. Apparently it would; yes, sir.

The CHAIRMAN. Do you mean the other "we" would be you and Dio?

Mr. HOFFA. It could have been that I would have been there with anyone of the international officers, Beck or Mohn or anybody else that was involved in this discussion. I can't recall.

The CHAIRMAN. Dio said he was told that he might need to be on tap. Do you know who he was told by? "He told me that I might have to be on tap." Do you know who "he" refers to?

Mr. HOFFA. Let me see if I can follow this, and maybe I can find an answer to it. I don't know. That could refer to Doria, or I don't know who it could refer to.

The CHAIRMAN. Isn't it a fact that at that time the rap actually referred to the racketeering practices of Dio, and this is one of the incidents about which you said you would be there with him?

Mr. HOFFA. With who, sir, the AFL, you mean?

The CHAIRMAN. With Dio, to defend him and protect him and to help him?

Mr. HOFFA. Well, I don't think this conversation pertains to anything except the union, sir.

The CHAIRMAN. Let me say, "Yeah; but when it comes up"—this is you talking—"when it comes up, we'll be there anyway—if any G———trouble, we'll be there to defend it." What do you mean?

Mr. HOFFA. Well, again this could have been a problem of meeting with our international representatives concerning the question of trying to get the two organizations together.

The CHAIRMAN. Is that your best recollection of it?

Mr. HOFFA. I am trying to reconstruct it. It is the best recollection I can gather out of this.

The CHAIRMAN. You say that you will be at the meeting. What meeting did you refer to?

Mr. HOFFA. I said there was a meeting—that was May, I think—I don't know. I don't recall.

The CHAIRMAN. Now, he said, Dio said, "Well, they told me; I was told that maybe I should stay around—that—to be ready to come out there." And then you answered, "I think definitely so." "Out there" means where?

Mr. HOFFA. Well, sir, I just could not recall this conversation to start with, and you have it in front of me and I am trying to reconstruct it and I just can't tell you. I just can't tell you, unless somebody can bring it to my memory, and I can't tell you.

The CHAIRMAN. Well, there is a relationship here that gives this committee some concern. I think that you can appreciate what it is. Dio is not a very popular fellow in some circles these days.

Mr. HOFFA. He wasn't at that time, sir.

The CHAIRMAN. He wasn't at that time?

Mr. HOFFA. So I would have no reason, that I can think of, to be hesitant to be seen with Dio to discuss a problem with Dio, who was an official of the UAW, AFL, or attend a meeting where he was at trying to work out a problem concerning the teamsters union.

The CHAIRMAN. All right.

Mr. KENNEDY. Let me just say something about Mr. Dio at that time you are saying you could not know anything about.

No. 1, I call your attention to the fact that the AFL had made a study for 9 months, and said that this local was dominated by racketeers.

In 1932 he was indicted for coercion and in 1933 for felonious assault, and 1936 vagrancy, and 1937 for extortion and 1940 he was released from Sing Sing, and his uncle James Plummeri, who is a well-known hoodlum, and he operated from 1940 through 1950 a group of dress shops, during 1950 and 1951 while he was in the UAW Local 102, he was being paid by one of these dress shops a total of \$11,500 in order to keep the dress shop nonunion.

So it was clear at that time that he was not interested in the union and he hired Benny the Bug Ross during this period of time, and he hired Joe Curcio, who had a police record, and he obtained a charter for Abe Goldberg who had a police record down in Philadelphia, whom I believe you know.

He hired Anthon Topazio and Joe Cohen who were convicted of extortion. That is up to 1951. In 1952 the AFL, on May 22 started to investigate him. On July 11 and 12 District Attorney Hogan said that his local 649 exists for no other purpose than to extort from the public.

August 14 the AFL, Dave Dubinsky, said that Mr. Dio was using the charter as a gangster normally does.

October 14 he got a charter for George Snyder, who proceeded to make sweetheart contracts. In 1953, he obtained a charter for local 198—this is all prior to this time that you had these conversations with him and in which you said you knew nothing about him.

He obtained a charter for local 198 for Gasster and Cohen, both of them picked up for extortion within a period of three weeks.

On February 2 the executive council of local 102 revoked the charter, after their 9 months' investigation because of racketeering.

That is up until the time that these conversations were taking place and he had other activities after that which we will go into later on.

The CHAIRMAN. You can see the importance of that, because we have an issue about charters being issued subsequent to this time. It is a matter, I think, of considerable concern, and we want to clear it up and we want to get the facts about it.

What I am trying to find out here now, Mr. Hoffa, from these conversations, the one played yesterday, and the one played today, the very tone of them, and the information in them, although it needs clarification in places, indicates a very strong friendship and working arrangement between you and Mr. Dio.

Do you want to make any comment on that?

Mr. HOFFA. My comment would only be this: I did not make an investigation—and apparently was made thoroughly by this committee—because I had no particular reason to do so.

I had met Mr. Dio in the latter part of 1952, and this is the early part of 1953, and we were discussing an incident concerning labor and he was at that time a labor leader for the UAW-AFL. So I have no comment to say except I was discussing a problem in trying to work out a solution between our two international unions.

(Members of the select committee present at this point in the proceedings were Senators McClellan, McNamara, and Mundt.)

The CHAIRMAN. This apparently refers to some other things, this conversation. You were keeping out interference with his operation at that time. Doesn't that clearly indicate that in this conversation?

Mr. HOFFA. There is no question about it. But we were trying to work out a merger—rather, a takeover of their organization, and rather than irritate the problem during the time of discussion—

The CHAIRMAN. It seems to me it would have been much easier to have taken over these locals, if that is what you really wanted, if you exposed the situation that surrounded them and their organization at that time with a man of this kind running the show, instead of trying to defend him, protect him and hold him in there.

Mr. HOFFA. Well, sir, I believe that the organization, that the UAW had was doing a comparatively good job, and rather than start over again, as I stated before, we were negotiating to take over that operation even though we had some opposition from within our own family.

We were trying to keep things on an even keel during that period.

The CHAIRMAN. All right, Mr. Counsel, you may proceed.

Senator McNAMARA. Before you leave this telephone conversation, Mr. Chairman, may I ask a couple of questions?

It isn't evident from this transcript that I have before me, the transcript of this telephone conversation, between Johnny Dio and Jimmy Hoffa, who originated the call. Is that evident? Does the witness know? This seems to come in in the middle of the conversation.

Mr. HOFFA. Offhand I wouldn't be able to do that.

Senator McNAMARA. You don't know whether you called him or he called you?

Mr. HOFFA. No, sir. I wouldn't be able to tell from this.

Senator McNAMARA. Does the record show?

Mr. KENNEDY. We believe it is Dio to Hoffa.

Senator McNAMARA. We don't have any proof? It is an assumption?

Mr. KENNEDY. It is Dio to Hoffa.

Senator McNAMARA. It is Dio to Hoffa, but you don't know?

Mr. KENNEDY. All right. Yes.

Senator McNAMARA. You do know it is Dio to Hoffa?

Mr. KENNEDY. Yes.

Senator McNAMARA. All right. The record should show.

Senator MUNDT. Mr. Hoffa, have you made any examination of the type of leaders that this UAW cabdrivers union had that they were trying to bring in? You knew Dio. You testified to that. Did you know the leaders of the local union under him?

Mr. HOFFA. I can't say that I did, sir. I made no investigation.

Senator MUNDT. You wanted to bring them in and make them officers of the teamsters union?

Mr. HOFFA. Yes, sir.

Senator MUNDT. Wouldn't you normally investigate to see whether they were men of good repute, good labor leaders, competent fellows, interested in the union? You wouldn't just take vague, unknown characters and say, "We want to make them part of our union"; would you?

Mr. HOFFA. Well, sir, I think the fact that they had been organized and conducting some strikes, and that they, to my understanding, came off of cabs, would normally make up any labor organization.

Senator MUNDT. You have the one report from the AFL which apparently had investigated them, and which said they were unsavory characters or had unsavory reputations. I was wondering what your policy was and what investigation you made to determine whether or not they were unsavory.

Mr. HOFFA. Well, sir, nobody gave me a copy of that proposal. I don't think I ever saw it.

On the other hand, the question of the cabdrivers in doing the organizing job they had did, if we took them in and found out there was something wrong, and it was properly supervised, it could have been corrected.

Senator MUNDT. Is it your testimony that at this stage of your acquaintanceship with Dio, you had no idea that he had been involved in racketeering?

Mr. HOFFA. Well, I didn't say that, Senator.

Senator MUNDT. How much of his record did you know?

Mr. HOFFA. I don't know whether or not I knew in the very few months that I had met him at that time, whether or not I knew he had once been convicted or found out later.

But I did find out during the course of time that I knew Dio, that he had been convicted and that was while he was working for the UAW, but I don't know what period of time I found that out.

Senator MUNDT. You had not made any investigation of him, either?

Mr. HOFFA. Well now—excuse me. He was not convicted in the UAW, but he was convicted and he was working for the UAW.

The CHAIRMAN. Is there anything further?

Mr. KENNEDY. I would like to point out that in the call you knew somebody was against it because you say, "Somebody is putting the rap against you." And you also say, "We'll be there to defend it."

So you knew there was something about him, and you were going to defend Mr. Dio on March 10, 1953. You were prepared to do so.

Mr. HOFFA. Well, there had been some opposition.

The CHAIRMAN. The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:35 p. m., the hearing in the above-entitled matter was recessed, to reconvene at 2 p. m. of the same day.)

(Members of the select committee present at the taking of the recess: Senators McClellan, McNamara, and Mundt.)

AFTERNOON SESSION

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the session: Senators McClellan, Ives, and McNamara.)

The CHAIRMAN. All right, Mr. Counsel, you may proceed.

Mr. KENNEDY. Mr. Chairman, the hotel-bill records we were discussing this morning have not been made a part of the record. Could we have them made a part of the record for reference?

The CHAIRMAN. I think Mr. Bellino testified to them yesterday. They may be made exhibit 171 for reference and need not be printed in the record.

(The documents referred to were marked "Exhibit No. 171" for reference and may be found in the files of the select committee.)

Mr. KENNEDY. Now, Mr. Chairman, it is our contention from the work that we have done, that Mr. Hoffa was attempting during the period of 1953, or starting in 1953, to attempt to get a foothold in New York in the eastern seaboard, in the central conference of teamsters; that he was going to use for that foothold initially Mr. Johnny Dio and his organization; that his enemy in New York was Mr. Tom Hickey and that he was going to try to circumvent Mr. Hickey; that he was going to try to use Mr. Johnny Dio to do that; and that he was trying to get the teamsters to grant a taxicab charter to Mr. Johnny Dioguardi and his organization.

I have some more evidence that I would like to put into the record at this time in connection with Mr. Hoffa's answers this morning regarding his relationship with Tom Hickey, and what he and Mr. Dio were attempting to do during this crucial period in 1953, showing that Mr. Hoffa was attempting to circumvent Mr. Hickey and he and Dio were working together, not at odds, during this period, and that Mr. Hoffa was trying to use Mr. Dio to get around Mr. Tom Hickey, who was the general organizer of the international in New York during this period of time.

The CHAIRMAN. All right, you may proceed.

We will provide the witness and his counsel with copies of the telephone conversations.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

Mr. KENNEDY. Do you have any comment on my statement before we begin?

Mr. HOFFA. Do I have any comment on your statement?

Mr. KENNEDY. Yes.

Mr. HOFFA. Well, frankly, I did not know you were addressing me, and I thought you were addressing the Chair. I could not answer at this moment. I thought you were addressing the Chair.

Mr. KENNEDY. Thank you.

Mr. HOFFA. Mr. Kennedy made a remark, and is it necessary that I answer?

The CHAIRMAN. It is not necessary.

Mr. HOFFA. I did not really pay any attention to it.

Mr. KENNEDY. I will repeat if you would like.

Mr. HOFFA. If you think it is necessary, only I did not really think you were talking to me and I thought you were talking to the Chair.

Mr. KENNEDY. You did not hear it?

Mr. HOFFA. I did, but actually it did not penetrate what I was concentrating on.

The CHAIRMAN. Let us proceed. I imagine it is covered, most of it, in this transcript you have before you, and so if you have any comment after we play that, we will have it.

Let us proceed.

(The telephone transcript of May 1, 1953, between Johnny Dio and David Previant is as follows:)

WOMAN'S VOICE. Hello?

FIRST OPERATOR. 4500.

SECOND OPERATOR. Thank you.

FIRST OPERATOR. I would like to speak with Mr. David Previant.

SECOND OPERATOR. Thank you. David Previant?

FIRST OPERATOR. Thank you, operator.

SECOND OPERATOR. You're welcome.

FIRST OPERATOR. Hello?

DAVID PREVIAINT. Hello.

FIRST OPERATOR. Mr. Previant. One moment, please.

Mr. PREVIAINT. All right.

Dio. Dave?

PREVIAINT. Yeah.

Dio. How are you?

PREVIAINT. All right, Johnny. How are you?

Dio. Oh, boy, I had the lousiest night of my life.

PREVIAINT. Is that right? Did you get out on time?

Dio. No, but I got out at 9:50. But I saw my—I think I ought to give up flying.

PREVIAINT. Is that right?

Dio. Yeah. Eleven guys on the plane.

PREVIAINT. Yeah.

Dio. And I want to tell you, the pilot and everybody else dying.

PREVIAINT. I'll be darned. You just bumped along, huh?

Dio. Bumped along was nothing. I thought the plane was going to crack in midair.

PREVIAINT. Is that right?

Dio. Holy crew. We flew for 5 hours and 50 minutes.

PREVIAINT. I'll be darned. I am surprised that they didn't put it down and wait.

Dio. They couldn't.

PREVIAINT. They couldn't—

Dio. Twenty minutes after they left Chicago, they tried to get back.

PREVIAINT. Is that right?

Dio. They couldn't get back.

PREVIAINT. Oh, boy. How many years did you lose?

Dio. How many years?

PREVIAINT. Yes.

Dio. Well, I'm telling you, my handkerchief was wet.

PREVIAINT. I can imagine. I can imagine.

Dio. Everybody admitted that they were all scared.

PREVIANT. Yeah. That's a terrible experience.

DIO. I'll tell you what I called about, Dave.

PREVIANT. Yeah.

DIO. What is Dick's second name, out in St. Louis?

PREVIANT. Kavner.

DIO. How do you spell that?

PREVIANT. K-a-v——

DIO. K-a——

PREVIANT. K-a-v——

DIO. G?

PREVIANT. V—like victory.

DIO. Like what?

PREVIANT. Victory.

DIO. Yeah.

PREVIANT. n-e-r.

DIO. n-e-r?

PREVIANT. Yeah.

DIO. Kavner?

PREVIANT. Yeah.

DIO. You don't have his address, do you, or his phone number?

PREVIANT. Wait a minute. I should have it some place here, Johnny. Main 1284.

DIO. Main——

PREVIANT. 1284.

DIO. 1284.

PREVIANT. His address is 1127 Pine Street.

DIO. Pine Street?

PREVIANT. Yeah.

DIO. St. Louis?

PREVIANT. 11——

DIO. What is it?

PREVIANT. 1127.

DIO. Pine Street?

PREVIANT. Yeah.

DIO. In St. Louis.

PREVIANT. Yeah.

DIO. Uh, ail right. Because I'm getting some of those congressional things, you know.

PREVIANT. Oh, yeah.

DIO. And that's the same guy, Al Friedman that I was trying to find out his first name——

PREVIANT. Uh-huh.

DIO. Because he was involved out there with Harry Bridges.

PREVIANT. Oh, I see.

DIO. Some time ago.

PREVIANT. I see.

DIO. And if that doesn't do it, I spoke with Jim——

PREVIANT. Yeah, I meant to ask you that.

DIO. A couple of minutes——

PREVIANT. What did he say?

DIO. And it's only the one miserable character——

PREVIANT. Uh-huh.

DIO. And we just got to work around it.

PREVIANT. Yeah. I imagine Jim is still optimistic, isn't he?

DIO. I'm listening to you now, don't worry. I'm worried, but you say don't worry, so I'm going to try not to.

PREVIANT. Well, look, you're in good hands. If anybody can do it, this guy can do it.

DIO. Look, Einar Mohn, everybody, everybody was talking, so——

PREVIANT. Yeah.

DIO. Let's see. You know, the operation was a success, but the patient died. That's what I am worried about.

PREVIANT (laughter).

DIO. You know what I mean?

PREVIANT. Right.

DIO. But in the meantime we'll try—look, I never give up.

PREVIANT. I know.

DIO. I don't never give up, David.

PREVIANT. You would have given up a year ago if you were giving up.

DIO. In fact to be honest with you, more than that. [Laughter.] How do you feel?

PREVIANT. Pretty good, Johnny.

DIO. How does my friend Anthony feel?

PREVIANT. Uh-huh.

DIO. He seems to be a little perturbed.

PREVIANT. I think he is a little more perturbed about the Chicago deal right now than he is about you.

DIO. That is a terrible thing that happened?

PREVIANT. This guy is such a nudnick.

DIO. He is no good.

PREVIANT. Yeah.

DIO. He is no good.

PREVIANT. Every time he makes a statement, he makes it worse.

DIO. He's no good.

PREVIANT. Right.

DIO. All right. I'll see you soon.

PREVIANT. Right.

DIO. Right. I'll see you. Bye-bye.

Mr. KENNEDY. There is another call that succeeds this, and follows this, Mr. Chairman, to be played right away.

(The following is a transcript of the telephone conversation of May 1, 1953, at 2:03 p. m., between Johnny Dioguardi and Dick Kavner:)

FIRST OPERATOR. Main 2-1248.

SECOND OPERATOR. Main 2-1284?

FIRST OPERATOR. Right.

SECOND OPERATOR. Thank you.

FIRST OPERATOR. Operator, I would like to speak with Mr. Dick Kavner.

SECOND OPERATOR. What is the last name?

FIRST OPERATOR. K-a-v-n-e-r.

SECOND OPERATOR. K-a-v-n-e-r.

KAVNER. Hello?

FIRST OPERATOR. One moment, please.

DIO. Hello?

KAVNER. Hello. Johnny?

DIO. How are you, Dick?

KAVNER. O.K., Johnny.

DIO. Did you have a nice trip back?

KAVNER. Yeah, pretty good.

DIO. Uh-huh.

KAVNER. How did you make out? Did you meet with Jim before you left?

DIO. Yeah, I was with Jim. I left at 9 and he left at 10. I was with him a while. I was with him all day, in fact, upstairs, practically.

KAVNER. Yeah.

DIO. I'll tell you, that guy's name is Al.

KAVNER. It is Al?

DIO. Al.

KAVNER. Al Friedman?

DIO. That's right.

KAVNER. Okay.

DIO. That is why——

KAVNER. I'm pretty sure he is a Commie.

DIO. Well, that we know he is for a fact here. I gave you that slip; didn't I?

KAVNER. Yeah, I got it.

DIO. Well, that we know he is. There is some more stuff on him which I didn't get yet, but I'll get it. In fact, I got some stuff on Honest Tom.

KAVNER. Yeah?

DIO. Yeah.

KAVNER. That should be interesting.

DIO. Yeah. Which I'm going to give to Jim.

KAVNER. Listen, do you want me to get the record of both of those guys, right?

DIO. Yeah.

KAVNER. I'll get the record of both of those guys. Shall I mail it to you or Jim?

DIO. No; mail it to me. Jim—they are going to meet in New York, you see, with the committee, and I want to shoot out there and bring everything over there.

KAVNER. All right. Fine.

DIO. Dick, I don't want to impose upon you, but as fast as we possibly can get it, because we would like to get it before that executive council meets, see, so we can meet amongst ourselves.

KAVNER. I'll get on it this afternoon. I was just waiting for his first name to make certain

DIO. All right, Johnny. Thanks a million.

KAVNER. As soon as I get it, I'll mail it directly to you.

DIO. All right, fellow. Right.

Thanks a lot.

KAVNER. Right.

DIO. Bye.

The CHAIRMAN. All right, Mr. Counsel, proceed.

Mr. KENNEDY. Mr. Chairman, the date of these calls is May 1, 1953, and it was during this period that it was being considered about bringing the taxicab organization of the UAW-AFL, into the teamsters organization.

Now, Mr. Hoffa has testified that Mr. Dio and he had a different position on this, that he was anxious to bring the organization into the teamsters, but that Mr. Dio wanted to continue the organizational drive as part of the UAW-AFL, and that this position was maintained by Mr. Dio until after they met in New York.

He was unable to explain how the position changed at that time. But this was prior to their meeting in New York, prior to the May 13 meeting, and it clearly shows that at this time there was not only a positive attempt to bring the UAW-AFL, into the teamsters, but that Mr. Dio and Mr. Hoffa were on the same side and not only were they going to take a positive approach to this but they were going to take an approach to try to get material and get information on Tom Hickey and people that worked for Tom Hickey.

Now, we have the information and we know, Mr. Chairman, and we left his name out, who the last name of "Al" is, and he is an employee, or works with Mr. Tom Hickey in his office.

They were attempting during this period of time to get derogatory information, embarrassing information on Mr. Tom Hickey and on individuals that worked with Tom Hickey.

This was Mr. Hoffa who was participating in this, and Tom Hickey, as you know, is a vice president of the teamsters and general organizer of the teamsters in New York.

The CHAIRMAN. Let us ask the witness what he knows about it.

Mr. HOFFA. Well, Mr. Chairman, first of all the first recording was a conversation between Previant and Dio, and the second conversation was a conversation between Dio and Kavner.

The CHAIRMAN. That is correct.

Mr. HOFFA. Unless there is some specific——

The CHAIRMAN. Your voice is not in it, but I am asking you, do you know anything about what the subject matter is here and what is being planned and what it relates to?

Mr. HOFFA. May I take another glance to see how it refreshes my memory.

The CHAIRMAN. Yes, you may.

(At this point, Senator Curtis entered the hearing room.)

Mr. HOFFA. Well, I notice that they used my name but they actually don't say anything in particular as to myself except that they are going to first of all, the first conversation, they discuss—

The CHAIRMAN. In the first conversation?

Mr. HOFFA. I think it was Tom Hickey. I saw it a minute ago.

I think I was looking for the last name and now I will look for the first, if I may.

No; I listened to the recording and I thought it said something about Tom, but I guess it is in the second one.

(Members of the select committee present at this point in the proceedings: Senators McClellan, Ives, McNamara, Goldwater, and Curtis.)

The CHAIRMAN. Is this Mr. Previant the same Dave Previant that you said had called Mr. Beck some three times in a previous conversation?

Mr. HOFFA. It could have been, sir.

(The witness conferred with his counsel.)

Mr. HOFFA. I think that was on February 26, sir—rather, March 10, I should say, and this is in May. I don't recall that I would have any reason to have discussed either one of these conversations, even though I know he was supposed to send me something. He finally makes the statement that he was going to send it to Dio and not to myself, as he originally discussed it.

I can't recall receiving anything on that, sir.

The CHAIRMAN. Dio said he was to have it in New York for that meeting. Which meeting do you think he has in mind?

Mr. HOFFA. Well, now, when was our meeting? If you will refresh my memory, Mr. Kennedy—

Mr. KENNEDY. May 13.

Mr. HOFFA. In the Hampshire House?

Mr. KENNEDY. May 13, in New York.

Mr. HOFFA. Well, I cannot recall hardly the meeting, even, except that I was refreshed by Mr. Hickey, and I don't know whether or not Mr. Hickey made any statements concerning anything that was proposed at that meeting. If it was, that might help me refresh my memory, Senator. This I can't recall discussing it. It may never have come about, because there was a discussion, apparently, of something that was to be gathered up, but I don't recall it, to my recollection.

Mr. KENNEDY. It is clear, is it not, that the information that was to be gathered up was information regarding the Communist background—

Mr. HOFFA. You would gather that.

Mr. KENNEDY. Of an individual.

Mr. HOFFA. You would gather that.

Mr. KENNEDY. And that this was done by Mr. Dio, and that this information was to be discussed with you, and that also he had some information, as he disclosed later, that he had on Honest Tom. Honest Tom is Tom Hickey; is it not?

Mr. HOFFA. He is commonly known as Honest Tom.

Mr. KENNEDY. So this information, this derogatory information, was to be gathered on an associate of Mr. Hickey, and on Tom Hickey,

and that the information was to be discussed with you by Mr. Dio, No. 1.

No. 2, it shows clearly, and it should refresh your recollection on this, that Mr. Dio was anxious, himself, on this taxicab matter; that he was working with you, that he was not adverse and on a different side from you, but he was working with you in this connection; and that if you were anxious to bring the taxicab organization over, he was also anxious to bring the taxicab organization over.

Mr. HOFFA. Well, I think we are getting to the point now where I think we better try and get this straightened out. I never denied, if you will remember the fact, that I was trying to get the officers of the then chartered UAW taxicab union into our organization. And there was an honest difference of opinion between Hickey's views and my views, but not necessarily was there a dispute between Hickey and myself to the point that there could be an argument, if I can recollect the problem.

Mr. KENNEDY. Was there a difference in your view and Mr. Dio's view?

Mr. HOFFA. Well, there may not have been at that time. I don't remember. I am trying to refresh my memory out of these conversations, but they are such with other people that I actually don't know how I can do it.

Mr. KENNEDY. You said that Mr. Dio held a different position. This is your position, this is what you stated: That you wanted to get this organization, UAW-AFL into the teamsters, but that you weren't anxious to have Mr. Dio in with it. Mr. Dio was anxious to have the UAW-AFL stay where it was.

Mr. Hickey's testimony on the other hand was that you were anxious to get him a charter. These conversations show clearly that you and Mr. Dio were working together, that you had a mutual interest in this matter, and that you were trying to obstruct the activity of Mr. Hickey.

Now, if you were working together, you were working together to bring Dio and his organization into the teamsters, just as Mr. Hickey testified; that you went so far that you were trying to get some information on an associate of Tom Hickey, and that you were getting information on Tom Hickey himself.

(At this point Senator Ives entered the hearing room.)

(The witness conferred with his counsel.)

Mr. HOFFA. Mr. Kennedy, unless I had the record, I couldn't say what you have just stated is the way it has been stated, but I have repeatedly attempted to tell this committee, from my recollections, that I was attempting to get the board members or officers of the UAW-AFL local into our organization, and other individuals were interested in getting a charter and starting over anew.

What transpired during that course of time until it was completed, I cannot recollect nor recall completely those incidents other than if somebody refreshes my memory, and this doesn't refresh my memory to the degree of answering you, because this conversation is between Previant and Dio and Kavner and Dio.

The CHAIRMAN. The point is, since they refer to you, they are getting information that was going to go to you, and it had to be done before this meeting. Obviously you were involved in some way, in view of the other testimony and the testimony that Mr. Hickey has

given, and what you describe as a difference between you and Johnny Dio. In these conversations nowhere do we find indicated any difference between you and Mr. Dio.

Is there anything in here that points out or indicates the difference? I would like to have you point it out. I don't see anything that indicates the difference.

Mr. HOFFA. I don't deny that there is anything in the telephone conversations that would show any difference, because I was trying to work out an arrangement between the UAW-AFL and the teamsters union, which Dio was not in agreement with, but, as I said before, Doria, being the international president, and having realized that the jurisdiction wasn't their jurisdiction, that Dio probably—and I am only now surmising, and I want it to be as a surmise or a recollection—was attempting to hold together his organization until the agreement was either consummated or broke off, or the discussions we had previously had.

Mr. KENNEDY. Mr. Hoffa, obviously Mr. Dio was taking an active interest. Obviously you are correct that he would not want to give this organization up. Mr. Dio wasn't in this to have worked for a couple of years and then just hand it over. Obviously he wanted something out of it.

What he wanted out of it was, obviously, once again, if the teamsters were going to take over this organization, he wasn't going to give it up, he was going to go with it.

Clearly, from this record, it was shown that you and Mr. Dio were on the same side.

I point out to you on the top of page 5:

PREVANT. Yeah, I imagine Jim is still optimistic; isn't he?

Dio. I'm listening to you now, don't worry. I'm not worried, but you say don't worry, so I'm going to try not to.

Obviously from that, Mr. Hoffa, you and Mr. Dio were working for the same thing. Mr. Dio, from his nature, from knowing anything about him, he was not going to just hand over this organization to the teamsters and not go with it. He was actively striving to stay with the organization and get a teamster charter. He was willing to go and get information on Tom Hickey. He was willing to get information on those associated with Tom Hickey, and you were a part of it.

Mr. HOFFA. Well, I think you are surmising more in this conversation than there is. Unless you could refresh my recollection, I gave you the answer I have to give you. I cannot tell you from this conversation, and I cannot recollect receiving any information that was sent to me, if it was sent to me.

Senator IVES. Mr. Chairman?

The CHAIRMAN. Senator Ives.

Senator IVES. I do not want to digress too much here, but Mr. Kennedy referred to my commendation of the witness, Mr. Hoffa, the other day, when I commended him upon his memory in recalling a quotation that I read that appeared in the newspaper about a year and a half ago.

He not only recalled the quotation, but he recalled the person that wrote the article.

I still pay my respects to Mr. Hoffa's memory, but at the same time I am constrained to point out that he has the most convenient forgettery of anybody I have ever seen.

The other day I had occasion to talk just a moment with Mr. Hoffa, and I told him I thought he was honest. I said, "We will know more about that when we get the testimony about you and Johnny Dio."

Do you remember that part of it?

Mr. HOFFA. I certainly do, sir.

Senator IVES. You certainly do.

Unfortunately, the press did not get the last part of it.

(At this point, Senator Mundt entered the hearing room.)

Senator IVES. I am a little bit disturbed. I do think you are honest, in one sense of the word, and this I will stick to, so far as I know of your reputation in Detroit. I think you keep your word, and that is a very important part of honesty.

But the rest of your honesty is being tested right here.

Mr. HOFFA. I recognize that.

Senator IVES. Now just see if you cannot remember a little more clearly when things come up, because I know your memory is good enough so you can. And I know what your I. Q. is. You are not kidding me a doggone bit in this thing.

I want to ask a few questions, Mr. Chairman. While we are off on this tangent, I would like to pursue it a little further.

When you were working with James C. James, did you know that the former president of the AFL-CIO, the former president of the AFL, Mr. William Green, had revoked a charter held by James for a local composed of jukebox workers, because the local was controlled by racketeers?

Mr. HOFFA. I know it was revoked, and I know the political reasons behind that statement.

Senator IVES. Do you know why it was revoked?

Mr. HOFFA. Yes.

Senator IVES. Because of the racketeering?

Mr. HOFFA. That wasn't the reason. There were some political reasons of the federation behind it.

Senator IVES. There may have been political reasons on the side, but apparently Mr. Green's main reason was because of racketeering, or at least that was the main reason given.

Yesterday I inquired of your views regarding the use of union funds in private ventures. Do you remember that question I raised with you yesterday?

Mr. HOFFA. Yes, sir, I do.

Senator IVES. Well, what do you think about it?

Here you have tax-exempt funds, tax-free funds, that you are borrowing from the union and turning into private ventures. Do you think that is the right thing to do? I am asking you to be honest.

You got into this question of honesty. Now be honest.

Mr. HOFFA. Senator, I am not going to make any different statement to that question than I did before. I said that I did not see anything wrong with it, I did not agree with the ethical practice rules, but I would comply with them.

Senator IVES. Unfortunately, I disagree with you wholeheartedly on that.

If necessary, we may have to pass legislation where that matter is concerned.

Now, Mr. Chairman, I have just one more question I would like to ask the witness.

Do you think that convicted strikebreakers who accept bribes, as in the case involving Mr. Sidney Brennan, should be allowed to hold high office in labor organizations? I understand that Mr. Brennan, vice president of the teamsters in Minneapolis, Minn., was convicted of violating a section of the Taft-Hartley Act making unlawful the receipts by employee representatives of money or any other thing of value from employers.

Mr. HOFFA. Yes, sir.

Senator IVES. Do you approve of his holding office?

I have asked everybody else this question. I asked Johnny Dio this, and, of course, he could not answer because he took the fifth.

I will give you this much credit, by golly you have not taken the fifth, but you are doing a marvelous job crawling around it.

Now, what have you got to say about that?

Mr. HOFFA. Well, I say, speaking just for myself, that each individual case, and the background of the case, must be taken into consideration before you make a decision.

Senator IVES. All right. What do you say about this case?

Mr. HOFFA. I know some part of this case, because I was a witness in this particular trial concerning a contractual relationship between employers and this particular union, and, knowing the background, I was somewhat understanding as to how Brennan became involved in this particular problem, and in doing so it was agreed that his case would be appealed to the highest court.

But, however, since then Brennan's conviction was upheld, and it is my opinion Brennan will not run for reelection in the coming convention of the teamsters union.

Senator IVES. Suppose he does. Are you going to be for him or against him?

Mr. HOFFA. No, sir. I have told Sidney that in my opinion he should not run for office.

Senator IVES. Then it is your firm conviction that in a situation like that people should not hold office in labor organizations, is that right?

Mr. HOFFA. In certain circumstances, and that is one of them, yes, sir.

Senator IVES. Would you object to having a provision of that nature put in the statutes?

Mr. HOFFA. If it could be based upon each factual case.

Senator IVES. You cannot base a statute upon each factual case. You have to enact it for general application.

Mr. HOFFA. That is the problem, sir.

Senator IVES. All right. I understand it is. But would you object to such a law?

Mr. HOFFA. If you would take each case into——

Senator IVES. You cannot take each case.

Mr. HOFFA. Then I would have to say that I would want to reserve the right until I saw the legislation drafted and discussed it with my lawyers before I made an observation on it.

Senator IVES. Well, I wish you would come across frankly on these things.

Mr. HOFFA. I am trying to tell you my personal views.

Senator IVES. Well, you are not satisfying me at all.

All right, Mr. Chairman.

Senator McNAMARA. Mr. Chairman?

Mr. KENNEDY. May I just make one point?

May I say that we have made an examination of the record this morning, and your answers regarding Johnny Dio, and found that in answers to 49 questions, you equivocated, and in answers to 24 other questions you said you couldn't or wouldn't answer.

The CHAIRMAN. Senator McNamara?

Senator McNAMARA. Mr. Chairman, the witness indicates that he needs something to refresh his memory in relation to these matters concerning Dio. I would like to ask him some questions based on the testimony we had from Mr. Hickey on August 16, 1957, before this committee.

The CHAIRMAN. All right, Senator, you may proceed.

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Just a moment. Senator McNamara has the floor.

Senator McNAMARA. I will be glad to yield.

Senator CURTIS. I am sorry.

Senator McNAMARA. Starting at the top of page 2616 of the hearings, Mr. Kennedy asks the question:

And that meeting was held at the Hampshire House in New York City?

Mr. HICKEY. It was.

The purpose of this is to identify the place of the meeting.

To continue:

Mr. KENNEDY. And at that time, had you understood by that time that Mr. Dio was being backed in his efforts by Mr. James Hoffa?

Mr. HICKEY. Mr. Hoffa at that meeting asked Mr. Beck to give the charter to 102.

Mr. KENNEDY. And to Mr. John Dio?

Mr. HICKEY. Well, Dio represented the local union at that time.

Mr. KENNEDY. So, if the charter was given to local 102, it would be a teamster charter that would be granted to Johnny Dio, is that right?

Mr. HICKEY. That is correct.

I want to pause here and ask you: Is that correct?

If the charter was granted, would it be granted to Mr. Johnny Dio?

Mr. HOFFA. Mr. Hickey could place his construction on it, but I was requesting that the charter be given to the officers who were heading up 102 of the UAW, and John Dio I do not believe was an officer. Therefore, his construction, I believe, is incorrect.

Senator McNAMARA. Suppose I ask you the question that Mr. Kennedy asked Mr. Hickey and see what your answer would be.

The question was:

If the charter was given to local 102, it would be a teamster charter that would be granted to Johnny Dio, is that right?

I am asking you.

Mr. HOFFA. It would not be a teamster charter granted to Johnny Dio. It would be a teamster charter granted to the officers of 102.

Senator McNAMARA. Then apparently you disagree with this testimony that we had at this point?

Mr. HOFFA. I said that I did not believe that Hickey put the right interpretation on it.

Senator McNAMARA. Let us continue that.

Mr. Kennedy goes on:

And that is in 1953 at the meeting at the Hampshire House?

Mr. HICKEY. That is right.

Mr. KENNEDY. And did Dio talk to the meeting as to what his position had been in the taxicab organizational drive?

Mr. HICKEY. He went on to tell that he had been engaged in this business for about a year or so, I believe, and that he had spent somewhere around \$200,000, and they were willing to spend \$200,000 more if they could get a charter from the teamsters. This was either Dio or Doria who said this.

Mr. KENNEDY. Doria was there also?

Mr. HICKEY. Doria was there, that is correct.

Now I want to ask you a question on that part of the testimony. Do you think that the UAW-AFL spent \$200,000 prior to this time in an attempt to organize the taxicab drivers?

(At this point, Senator McClellan withdrew from the hearing room.)

Mr. HOFFA. I would question whether or not \$200,000 would have been spent in that period of time, but I just say I would question it because I could be wrong.

Senator McNAMARA. It goes on. Mr. Kennedy asked:

Did you express opposition on this?

That is, the taking over because of the \$200,000, I take it.

Mr. Hickey said:

I opposed them bitterly. There is no question about that.

Mr. KENNEDY. What did you say?

Mr. HICKEY. I told them that the teamsters were well able to take care of the taxicab drivers, that they had been the forgotten man of the industry, and that we had an organization setup, we had enough people working for the teamsters union to take care of their situation as it should be taken care of, and that we didn't need any help or advice from the UAW.

Mr. KENNEDY. What did Mr. Hoffa say at this meeting?

Mr. HICKEY. Mr. Hoffa interceded for Mr. Dio, and indicated that the teamsters were in no position to organize them, that our efforts would not be as successful as 102's efforts under Mr. Dio.

It goes on in that vein.

I was wondering if this \$200,000 business and his reference to you and Dio would not refresh your memory as you were asking for it to be refreshed about that point.

Mr. HOFFA. Well, I can say that apparently Tom was confused, because he said either Dio or Doria did the talking. I think he was just as confused, probably, in this period of time, as I would be, and, apparently, from the discussion there he isn't too far away from agreeing with what I have been trying to say, that I was trying to get the charter, our charter, to take the place of 102 and the officers of that local union to come with it.

Senator McNAMARA. Were you largely motivated by the feeling that a lot of money had been spent, and that you wanted to take advantage of the organization that was created by the expenditure of the money by these people?

Mr. HOFFA. That as well as the fact that there were experienced actual cabdrivers at the head of that organization.

Senator McNAMARA. Now we have some testimony and I don't want to bother to read it, that indicates that you were assigned to this meeting in New York.

Do you remember whether that was true or not?

Mr. HOFFA. I probably would not have gone to the meeting unless somebody gave me an assignment.

Senator McNAMARA. The indication in the testimony we have is that you were there as Mr. Hickey was, on assignment by Dave Beck.

Mr. HOFFA. I could very well have been.

Senator McNAMARA. Why were you involved in the New York situation in the first place?

Mr. HOFFA. Because of the friendship, I assume, that I had with Doria, or at least the acquaintance that I had with Doria which might tend to adjust the problem.

Also, Dave Previant was the lawyer for the UAW and a lawyer for central conference.

Senator McNAMARA. So that you had a natural tie-in on this and, furthermore, you were assigned by the general president.

Mr. HOFFA. I don't know if it would be the general president. I would probably get a notification to appear there.

Senator McNAMARA. Your normal field of operations was in Michigan and the central States, and so that is why I asked you the question.

Mr. HOFFA. Other than assignment, that is right. I have the South as well as central States, but then I go to other territories on assignments by other individuals.

Senator McNAMARA. You were assigned here by Dave Beck, is that the best of your recollection?

Mr. HOFFA. No; I would not say that, sir, and I would say somebody from the international assigned me and it could be Mohn or it could be Beck, whoever arranged the meeting.

Senator McNAMARA. Well, then, the meeting, according to the testimony, was arranged by Dave Beck.

Mr. HOFFA. Well, still it could have been Mohn or Beck that told me, because Beck would probably be in touch with Mohn and unless he called me, it could be either one of the two, sir.

Senator McNAMARA. And Hickey was assigned there as an international representative. He is what you term a general organizer?

Mr. HOFFA. A general organizer and a vice president.

Senator McNAMARA. And you were assigned no doubt on the same basis?

Mr. HOFFA. As a vice president.

Senator McNAMARA. You were in the same role as Hickey at the meeting?

Mr. HOFFA. I think, trying to be a kind of arbitrator between two different views.

Senator McNAMARA. In the teamsters union there were no conflicting views between Beck and Hickey, were there? Were they not of the same view?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. Beck and you and Hickey were representing the teamsters union, and were there others?

Mr. HOFFA. Well, I vaguely recall the meeting only because of the testimony of Mr. Hickey that such a meeting took place in the Hampshire House and I am trying to answer these questions.

Senator McNAMARA. How did you involve yourself in that meeting? Was that your only reason for injecting yourself at the meeting?

Mr. HOFFA. No, I had the meeting in Florida, if you will recall, prior to going to Chicago.

Senator McNAMARA. This was of the same nature?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. You were involved in it purely on the basis of organizing the taxicab drivers?

Mr. HOFFA. And an attempt to get the UAW out and get them into our organization.

Senator McNAMARA. Have you attempted to organize cabdrivers in other cities?

Mr. HOFFA. Very definitely, sir.

Senator McNAMARA. Do you have an organization of cabdrivers in Detroit?

Mr. HOFFA. We have an organization of cabdrivers.

Senator McNAMARA. What portion of the industry does it cover?

Mr. HOFFA. One particularly large independent company and some of the smaller companies in the suburbs.

Senator McNAMARA. You would say 20 or 25 percent?

Mr. HOFFA. Somewhere around there; yes, sir. It is a very difficult industry to organize.

Senator McNAMARA. Do you have any organization of cabdrivers in other cities?

Mr. HOFFA. Yes; we have cabdrivers in Chicago, St. Louis, and I believe in Cleveland, and I believe in most of the cities of a large nature we have some semblance of organization of the cabdrivers.

Senator McNAMARA. Do you have any city where they are pretty well organized; is Chicago well organized?

Mr. HOFFA. Chicago is a well organized local union, and Kansas City, I believe, and I believe St. Louis and I believe Cleveland, and in various cities they have been able to organize the industry quite well.

Senator McNAMARA. What portion of the industry did local 102 of UAW have organized in New York when you were trying to deal with them to take over the organization? Percentage-wise do you think it was 5 percent or 10 percent?

Mr. HOFFA. I had so many conflicting stories, I could only give you a guess. There were many statements made of 10,000 applications and I heard from other people as many as 1,000 and so I could not say, Senator.

Senator McNAMARA. I thought this conversation might refresh your memory a little bit in connection with these matters, and apparently it does not help.

Senator CURTIS. Mr. Hoffa, in regard to the issue of whether or not there was an alliance between underworld elements or men of bad character and union work, I would like to ask you this question:

Did you in 1953 believe Dioguardi to be a man of good character and reputation?

(The witness conferred with his counsel.)

Mr. HOFFA. I would say, sir, that I was judging him on the basis of that I was meeting with him and talking with him rather than on past periods of time.

Senator CURTIS. Now, will you answer my question? Will the reporter read it?

(The pending question was read by the reporter.)

Mr. HOFFA. I would have to answer that by saying—just a minute, sir.

(The witness conferred with his counsel.)

Mr. HOFFA. I will have to answer in my own way, Mr. Chairman. In answer to your question, Senator, I would have to say that I have to judge people as I find them, and even though he had a conviction, it would not necessarily mean that he could not have rehabilitated himself and carried on an organization.

Senator CURTIS. Did you in 1953 regard him as an individual of good character and reputation?

Mr. HOFFA. In regards to—at that time I would say “Yes,” at that time. I cannot judge his past.

Senator CURTIS. Do you now regard Dioguardi as a man of good character and good reputation?

Mr. HOFFA. Well, I would say that if the facts brought out by this hearing are correct, then I would have to change my opinion of the situation and judge accordingly after he has had the final opportunity to disprove those facts.

Senator CURTIS. In the hearings on August 8, Dioguardi was before this committee and the distinguished chairman of this committee asked Dioguardi:

Do you know Jimmy Hoffa?

Mr. DIOGUARDI. I respectfully decline to answer the question upon the ground that the answer may tend to incriminate me.

Why would his acquaintance with you incriminate him?

Mr. HOFFA. Well, I cannot judge why he would make such an answer, except that I understand he is under indictment.

Senator IVES. He has been convicted, but not sentenced.

Mr. HOFFA. He is under indictment, too, and I understand he is under indictment, and he possibly felt anything that he said might incriminate him.

Senator CURTIS. If he would have answered that question “yes”; the question was, “Do you know Jimmy Hoffa?” the plain answer of “yes” or “no” would have incriminated him?

Mr. HOFFA. Well, from my observation, I am not a lawyer, I don’t know how it would have, but I can’t tell from a legal standpoint whether it would or not, sir.

Senator CURTIS. That is all.

The CHAIRMAN. All right, Mr. Counsel, let us proceed.

Mr. KENNEDY. Now, Mr. Hoffa, in view of these telephone calls, and the ones that were played this morning, were you anxious or were you trying to bring Johnny Dio into the teamsters union?

Mr. HOFFA. Just a moment, sir.

Mr. KENNEDY. Do you want to consult your attorney on that?

Mr. HOFFA. He asked me.

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I have to again make my own observation.

Mr. KENNEDY. You can’t answer that “yes” or “no”?

Mr. HOFFA. Well, now, I don’t think that you asked a yes or no question.

Mr. KENNEDY. Yes, I did. Would you repeat the question to the witness?

(Question read by the reporter.)

Mr. HOFFA. I was trying to bring in 102 into our union.

Mr. KENNEDY. How will you answer the question?

Mr. HOFFA. John Dio was not a member or an officer of that local and that is the best answer I can give you, because he had already been rejected by President Beck.

The CHAIRMAN. Mr. Hoffa, you keep repeating you were trying to bring 102 of the UAW into the teamsters union. Were you also trying, if necessary, to get Mr. Dio in there if it took that to get 102 in? Were you trying to get Mr. Dio in there?

Mr. HOFFA. I would answer by saying that if that would have been the only way we could have worked it out, and Mr. Beck was agreeable, I would have been agreeable. Maybe that is the answer, sir.

The CHAIRMAN. That is a start. That is a good start.

Mr. KENNEDY. Now, let me ask you, Was that the only way that you could get him in? Did somebody in the teamsters say, "We won't take 102 unless you bring Johnny Dio"?

Mr. HOFFA. Not to my recollection.

Mr. KENNEDY. Nobody ever raised that question and nobody in the teamsters ever said, "We are not going to take local 102 in unless you bring Johnny Dio in"?

Mr. HOFFA. Well, now, I don't think so, or I don't quite gather your question, as to what it means.

Mr. KENNEDY. You said you would bring him in if that was the only way to get 102 in.

Mr. HOFFA. No; I said I would have, but as I said before, though, I did not make to my recollection that statement. Senator McClellan asked me a question and I tried to answer him.

Mr. KENNEDY. Let me ask you again, Mr. Hoffa: Were you personally, Jimmy Hoffa, anxious to bring John Dio into the teamsters union, in view of the conversations that have been played so far?

Mr. HOFFA. I do not recall—

Mr. KENNEDY. You can't remember anything.

Mr. HOFFA. —the question of bringing Johnny Dio in the teamsters union raised by myself. That is the best I can tell you. Now, if you can refresh my recollection of it I will be glad to answer.

Mr. KENNEDY. You were talking to Mr. Dio during this period of time and you met with him in Miami, and you talked to him a number of other times. What was Mr. Dio's attitude? Was he anxious to come into the teamsters union?

Mr. HOFFA. Well, all I can tell you is as I stated before, that Mr. Dio was anxious to keep organizing the cabdrivers in the UAW-AFL. Whether or not he was anxious to come in the teamsters, he would have to answer.

The CHAIRMAN. Mr. Hoffa, don't you know that he was? Don't you personally know that?

Mr. HOFFA. No, sir, Senator, I can't by recollection say he ever told me that, and I don't recall if he ever did.

Mr. KENNEDY. Didn't you have conversations in that connection?

Mr. HOFFA. I have conversations of bringing the members?

Mr. KENNEDY. What were the two of you working together for, during this period of time, if it was not for the same end? Why was

he reporting or getting a report that you were optimistic about everything, and you were trying to get this information on Tom Hickey and you were trying to get this information on Tom Hickey's associate, if you both were not working together for the same objective? Can you explain that to the committee?

Mr. HOFFA. My objective was to bring in the UAW.

Mr. KENNEDY. Don't keep repeating that, Mr. Hoffa.

Mr. HOFFA. I am answering the question.

Mr. KENNEDY. You are not answering at all. What is your answer? Let us accept the fact that you wanted to bring the UAW-AFL into the teamsters.

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. You don't have to ever say that again. Now, this is not the major question that we are looking into, and we are looking into the question of whether you were trying to bring Johnny Dio into the teamsters movement. What is the answer to that?

Let me ask you this: Weren't you and Johnny Dio working together so that he could get a charter from the teamsters union?

Mr. HOFFA. I cannot say that Johnny Dio was working with me in getting a teamsters charter, because he never got a teamsters charter. I cannot recall that conversation.

Mr. KENNEDY. It is very possible that even you would be unsuccessful?

Mr. HOFFA. In what?

Mr. KENNEDY. In this. You said you could not have been working together because he did not get one. That hardly answers the question.

Mr. HOFFA. Mr. Kennedy, and Mr. Chairman, may I make an observation, rather than trying to carry this on, sir.

The CHAIRMAN. Well, you can make a very short one and say "Yes" or "No."

Mr. HOFFA. I could have taken this case to the executive board and appealed over the head of the general president, if I desired, because under our constitution I have that privilege. I did not press the issue after the general president made his decision, and we issued a separate taxi charter.

Mr. KENNEDY. That decision according to your testimony was on February 9, 1953, by the president.

Mr. HOFFA. That is right.

Mr. KENNEDY. All of these conversations take place subsequent to February 9, 1953. You have conversation with him, and he keeps you advised as to what he is doing, and then he has conversations with Mr. Previant, and he calls up Mr. Kavner in your district and reports what information he has on Tom Hickey. He was trying to find out how you felt about things, and you are optimistic about it. Now, if you are optimistic of getting the UAW-AFL into the teamsters without taking him, I don't see how that would make him very happy.

(Members of the select committee present at this point in the proceedings: Senators McClellan, McNamara, Mundt, Goldwater, and Curtis.)

The CHAIRMAN. The question is here. Hoffa has just stated that he didn't press it after a decision was made.

If you were not pressing it, and if it was not being carried forward as a project between you and Dio, can you explain why all these conversations and these plans and the meetings in New York?

Mr. HOFFA. Senator, I was referring to after the charter was issued and they went out of the taxicab drive at that time.

Senator MUNDT. Mr. Chairman?

The CHAIRMAN. Senator Mundt.

Senator MUNDT. Mr. Hoffa, the record is pretty clear, from what you have told us, that you were trying to bring the membership of the UAW union and you were trying to bring the officers of the UAW union into the teamsters union; right?

Mr. HOFFA. I was trying to bring the members and the officers.

Senator MUNDT. Right. Now, what did you think was going to happen to Mr. Dio after you took his membership and you took his union and you took his officers?

Mr. HOFFA. Senator Mundt, Dio, I believe, was president of 649.

Mr. KENNEDY. Mr. Hoffa, Mr. Dio ran local 102. He was business manager of local 102.

Senator MUNDT. Yes.

Mr. HOFFA. But also 649.

Senator MUNDT. You were going to take his union, you were going to take his members, his organization and treasury. What would you have done with Dio?

Mr. HOFFA. He would have had local 649 of the UAW.

Senator MUNDT. He wouldn't have 102 after you took it away from him.

The CHAIRMAN. The Chair regretfully announces that the Senators have other duties to perform, and that is a rollecall in the Senate. It will be necessary to have a recess of the committee until we can return.

(Thereupon, a brief recess was taken at 3:03 p. m.)

(Members of the select committee present at the taking of the recess were: Senators McClellan, Ives, Curtis, McNamara, Mundt, and Goldwater.)

The CHAIRMAN. The committee will be in order.

(Members of the select committee present after the recess were: Senators McClellan, Ives, Goldwater, and Curtis.)

The CHAIRMAN. It is anticipated that we will have to return for another vote again sometime this afternoon, maybe right away, but we will proceed and do as much as we can.

All right, Counsel.

Mr. KENNEDY. Mr. Hoffa, I want to come back to the subject of Mr. John Dio. I want to ask you again what your attitude, what your position, was following the meeting on February 9, what your position was as far as bringing Dio into the teamsters union.

Mr. FITZGERALD. May I—

(The witness conferred with his counsel.)

Mr. HOFFA. Again I have to repeat, and I thought I answered the question, that I attempted in the meeting that you discussed, in the Hampshire House, to the best of my recollection, bringing in the officers of 102.

However, I made a statement in answer to Mr. McClellan—excuse me, sir—Senator McClellan—that if it would have been necessary I wouldn't have hesitated in bringing in Dio.

But I do not recall making such a statement, or that it could be construed, because listening to the refreshment of Senator McNamara, it seems to me that Mr. Hickey was somewhat confused also, because he didn't know whether Dio or Doria was having the conversation.

Mr. KENNEDY. He was very clear on the point that you were attempting to bring Dio into the teamsters union. He was very clear on that. Now, what was Mr. Dio's position? Did he want to get a charter with the teamsters union?

(The witness conferred with his counsel.)

Mr. HOFFA. Mr. Dio would have to answer that question, but I do not believe, if you want me to surmise, that he would have turned down one. But he wanted to get those people who were officers into our organization.

Mr. KENNEDY. What did he indicate to you during this period of time that his position was on the teamster charter?

Mr. HOFFA. I think, in all due respect to you Senators, I have made as much of a statement, unless I keep repeating, as I can recollect that happened.

(At this point Senator Mundt entered the hearing room.)

Mr. HOFFA. Unless you can refresh my memory, I just can't do any better.

Mr. KENNEDY. You can't remember anything he said to you about getting a teamster charter?

Mr. HOFFA. I don't think it would have been that important. Unless Hickey would have made that statement he made concerning the Hampshire House meeting, I don't think that I could have refreshed my memory on that particular meeting.

Mr. KENNEDY. I understand that.

You testified that you can't remember at all what Mr. Dio's position during this period of time was regarding getting a teamster charter?

(The witness conferred with his counsel.)

Mr. HOFFA. I didn't say that. I said to the best of my recollection, unless you can refresh my memory, I can't recall a conversation.

Mr. KENNEDY. He was obviously working together.

Now, starting back in the telephone conversation we made of February 26, 1953, he was recording that local 102 had received some opposition from Mr. Strong, who worked for Mr. Hickey. He was reporting to you about the interference.

Then on March 10, 1953, you told him that somebody had been putting the rap in against him, but that you, yourself, would be there, in there, to defend him, or defend it.

Then we see from these other conversations that Mr. Dio was working, that you were optimistic and he was working with you in this matter, that he was trying to get this information together regarding Hickey, regarding Hickey's associates.

So I would think that if you used your mind, that you might be able to think of what was going on during that period of time, Mr. Hoffa, as far as what you and Johnny Dio were trying to do.

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I will have to stand on the answers that I have made in regards to my recollection, and I cannot answer unless you can give me some recollection other than I have answered.

Mr. KENNEDY. I have tried to give you four of them, but we will try to give you a couple more.

Mr. HOFFA. All right.

Senator MUNDT. Mr. Chairman?

The CHAIRMAN. Senator Mundt.

Senator MUNDT. When the rolleall took us over to the Senate. I had just asked you a question and I think you had not yet answered it: What did you think was going to happen to Johnny Dio if you succeeded in taking away from him the union of which he was the business manager and putting it over in the teamsters?

Mr. HOFFA. Senator Mundt, I thought I answered it. I will answer it, if I didn't.

Senator MUNDT. If you did, I did not get it.

Mr. HOFFA. He was president of local 649, I believe, and he would have still remained president of that local union, the UAW.

Senator MUNDT. That was not involved. He was president whether or not UAW came with the teamsters; is that correct?

Mr. HOFFA. That is correct.

Senator MUNDT. It did not change his status in 649?

Mr. HOFFA. From what I understand of his position, that is right.

Senator MUNDT. So whatever income he made, whatever money he made, as a business agent for UAW would cease to come to him if UAW went with the teamsters, unless Dio was in on the package; is that correct?

Mr. HOFFA. Senator, I really don't know whether or not he was paid by the UAW for that particular job.

Senator MUNDT. I suppose if he is a business manager, he gets a salary; does he not?

Mr. HOFFA. I don't know whether his salary was dependent on whether or not it was the cabs, plus his other duties.

Senator MUNDT. 649 had nothing to do with the cabs; is that right? 102 was the one with the cabs?

Mr. HOFFA. I believe that is right.

Senator MUNDT. So that he was a business agent for 102; right?

Mr. HOFFA. I don't think he was. I think that somebody termed him as a business manager. Didn't they?

Senator MUNDT. Business manager. All right. Business manager for a union is not like working for the Salvation Army. You do not volunteer just for the love of the cause. You do that because you get some income; do you not?

Mr. HOFFA. Well, Senator, I wouldn't say that that statement is correct. Many people have worked for unions without pay.

Senator MUNDT. In other words—yes. We have an abundance of evidence, Mr. Hoffa, that Johnny Dio was actually running 102, but taking your definition of it, that he was business manager, certainly a business manager of a union has some source of income. He isn't doing that as just a walking eleemosynary institution. He has to live, he has to have income. There is nothing wrong with that. I do not know whether he works on a commission, whether he works on a salary or on an expense account, whatever it is. Certainly he gets some source of income from being business manager of a union.

Is that not customary?

Mr. HOFFA. From some unions.

Senator MUNDT. From some unions. I suppose it will be the union he is trying to help, not some other union.

Mr. HOFFA. If you had more than one, he may draw a salary from one and not the other until it was built up.

Senator MUNDT. But he was working for a union so well established that you wanted to bring into teamsters the officers of the union, because they were experienced cabdrivers and experienced organizers, you said.

Mr. HOFFA. 102.

Senator MUNDT. 102. You were about to divest him of all connections, you are telling us now, with 102, because you were going to take away from him the union, the officers, the franchise, everything.

Mr. HOFFA. Well, if it would have went through the way we proposed, the way I proposed, I should say the officers of 102 would have had their own charter.

Senator MUNDT. That is right.

Mr. HOFFA. And I assume he would have been out.

Senator MUNDT. He would have been out?

Mr. HOFFA. I assume that.

Senator MUNDT. It is terribly hard for a country boy from South Dakota to understand why a man, Dio or anybody else, would have all of these telephone calls, make these trips to Chicago, to Washington, go all through this, just trying to cut off his own source of income, just trying to deal himself out of the union. It seems to me his only interest must have been to come along with the show.

Mr. HOFFA. Senator, I think you got to recognize the fact, from the information I can gather, and I am sure you have better than I do, that he was some sort of a representative of the UAW on a sub-region basis in New York, and I believe that covered more than one local union. So you would have the international problem to worry about rather than a particular local union, and if the international was paying him, and I don't know whether they were or not, it wouldn't affect his salary if he gave up one local union.

Senator MUNDT. This is a question I am sure you can answer: In your own mind at the time, had your plan prevailed over the plan that Mr. Beck preferred, and over the plan that others may have preferred—because you say this was a matter of controversy—had your plan prevailed, which we clearly understand was to bring the union and the officers over into the teamsters, did you expect that Dio was going to come to the teamsters?

Mr. HOFFA. From what Beck told him, he would have not come with the teamsters.

Senator MUNDT. That is right.

We are wondering now what you told him, or what your understanding, or what your own comprehension was. Did you expect him to come with the teamsters?

Mr. HOFFA. Well, I couldn't overrule President Beck.

Senator MUNDT. You said you could have gone to the board.

Mr. HOFFA. I could have, but I didn't.

Senator MUNDT. You are a pretty persuasive fellow. You might have prevailed on Beck. He might have changed his mind. You talked about it that time on the phone, and you are pretty good on the forensics.

Mr. HOFFA. I recognize the fact that I could probably have had some effect on the board, but whether or not it was worth getting into a dispute on the board would have been a question, since President Beck had made a decision. The situation never developed that far.

Senator MUNDT. We could save a lot of time, and I guess this is right down to the meat in the coconut, if you could tell the committee categorically either "Yes" or "No" if we ask you, did you want to get Dio into your union? Were you trying to bring him into the union?

Did you expect him to come into the union; was he involved in the package deal to come along? If you could tell us, "No, I was interested only in the union and the officers, I was not concerned about Dio," that is a definite answer.

Could you say, "Yes, I was going to take him," or could you even tell us, "Yes, I was going to take him, though I did not like him. He was excess baggage; he was something we did not want; he was extra on the ship, but we had to bring him into the harbor with the rest."

You were thinking about something and you know what you were thinking about; we do not.

Mr. HOFFA. Senator, I was thinking primarily about the cabdrivers in New York.

Senator MUNDT. That is right, but you had to think a little about Dio, because he kept calling you up at your home, at your hospital bed, so you had to think about it.

What did you think about him? "Here comes Barnacle Bill," or what did you think about him?

Mr. HOFFA. He was a person who could possibly help settle the difference between our two unions and I did not want to have the situation disturbed while it was in the process of discussion.

Senator MUNDT. To avoid controversy, you were, with some reluctance, willing to buy him with the package, is that right?

(The witness conferred with his counsel.)

Mr. HOFFA. I think I am on record that I said, and I do not recall whether I said it there or not, or whether I mentioned it during any of those conversations, but I am on record as saying that if it had took that, I would have recommended that, even.

Senator MUNDT. So ge got that far. At least you would have taken him if you had to take him?

Mr. HOFFA. If I would have had to, to organize the cabdrivers in New York.

Senator MUNDT. Can we go one step further? Did you really think that you had to take him?

Mr. HOFFA. Well, when the organization—

Senator MUNDT. Keeping the idea as you did, do you think you would have had to take him?

Mr. HOFFA. I don't believe so. We did not take him. That is the best evidence, sir.

Senator MUNDT. Beck is a pretty big, bulky individual. He stood between taking him and not taking him.

Mr. HOFFA. That could have been a problem. It could have been one of the answers, but I do not think it developed to that point, Senator.

Senator MUNDT. All right.

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Senator Curtis?

Senator CURTIS. I cannot understand why you would resist taking Dioguardi. You have testified that in 1953 you regarded him of good character and reputation. You have also testified that you were friends; you knew his family; you had had dinner together.

If you did, why did you resist taking Dioguardi into your union?

Mr. HOFFA. Well, Senator, I didn't say—to the best of my recollection, nowhere in this record have I said that I resisted it. I said that President Beck had made the statement.

Senator CURTIS. Made what statement?

Mr. HOFFA. That Dio was not going to come into the teamsters union. If you will recall it, I said it in the Miami meeting.

Senator CURTIS. But I have watched you; I have heard you sparring back and forth here with counsel and others for a long time, trying to escape responsibility for taking Dioguardi into your union.

Mr. HOFFA. Dioguardi did not come into the teamsters union with the cab drive.

Senator CURTIS. That is all.

The CHAIRMAN. Shall we proceed?

Senator MUNDT. He did get in, did he not?

Mr. HOFFA. He did not get into the cab union, sir.

Senator MUNDT. To the teamsters?

Mr. HOFFA. No, sir; not to my knowledge. I don't think today—I don't think the records will ever show that he was a member of the teamsters. To my knowledge, he was not, at least, and I have inquired around and nobody seems to have any difference of opinion. So I wouldn't know.

Senator MUNDT. Was he not involved in some of these paper locals?

Mr. HOFFA. Well, I have heard it alleged as such, but I do not have any proof to the best of my knowledge, sir, that he was in it.

The CHAIRMAN. Distribute the transcripts of the next recording. (At this point, Senator McNamara entered the hearing room.)

(Members present at this point were Senators McClellan, Ives, Mundt, Goldwater, Curtis, and McNamara.)

Mr. KENNEDY. Just on this other one, this Kavner one, the conversation that Mr. Dio had with Mr. Kavner, that is Mr. Kavner that was mentioned this morning?

Mr. HOFFA. That is correct.

Mr. KENNEDY. That is Mr. Kavner that came to see the trial, is that right?

Mr. HOFFA. That is right, and also on business.

Mr. KENNEDY. Mr. Chairman, once again the evidence would seem to indicate—I will put it stronger than that—there seems to be no other alternative than that the evidence indicates that Mr. Dio and Mr. Hoffa were working together during the period of time, and that Mr. Dio was anxious to get into the teamsters union, and he was not ready to give up his organization, and that he wanted to get a teamster charter and he was working with Mr. Hoffa toward that end. They had a number of conversations, and they attempted to get this information on Mr. Hickey's associate, and on Mr. Hickey, and in addition they were plotting their strategy as to how they

would handle the matter prior to the meeting in New York at the Hampshire House.

The CHAIRMAN. All right. Let us be quiet now, and let us have the recording.

(The transcript of telephone conversation between Jimmy Hoffa and Johnny Dio on May 7, 1953, is as follows:)

OPERATOR. Mr. James Hoffa?

MAN'S VOICE. Yeah, you got him?

OPERATOR. Well, I'm ringing the number now, sir.

MAN'S VOICE. All right; see if he's there. The party just walked in.

OPERATOR. Oh, good. Thank you.

MAN'S VOICE. Yeah. What?

OPERATOR. Who's calling from New York?

MAN'S VOICE. John Dio.

OPERATOR. Mr. John Deal—

MAN'S VOICE. Dio. D-i-o.

OPERATOR. Dio?

MAN'S VOICE. Yeah. Oh, oh; he's calling; I thought—

OPERATOR. Yes.

MAN'S VOICE. Oh, you're calling Hoffa, John; I thought Hoffa was calling you, the way she spoke.

OPERATOR VOICE. No, he—called yesterday—

MAN'S VOICE. O. K., the girl went out, that's why I didn't know.

OPERATOR. Uh-huh.

MAN'S VOICE. Yeah, all right—

OPERATOR. And he asked us to try the number at 12 o'clock today for him.

MAN'S VOICE. O. K., O. K.; try the number.

OPERATOR. Well, I'm waiting now—

MAN'S VOICE. George just called up; they're still in Morristown—just this minute.

HOFFA. Hello, Johnny.

DIO. How are you, Jim?

HOFFA. All right. How are you?

DIO. All right, did you have a good plane ride that night?

HOFFA. I think I had a pretty good one, yes, Johnny.

DIO. I had a miserable one—

HOFFA. How did? Rough, eh?

DIO. Oh, J— C—. I never thought I'd come back.

HOFFA. Well, you know what they say—the devil don't want you and—

DIO. That's right—the devil don't want me. I guess they want good people.

HOFFA. (laughter).

DIO. So I'm going to be pretty bad, Jim.

HOFFA. You and I are pretty safe.

DIO. (laughter).

HOFFA. (laughter).

DIO. What's new Jim?

HOFFA. Nothing; everything seems to be all right, Jack.

DIO. Uh-huh?

HOFFA. Don't hear much—

DIO. Uh-huh; have you talked to that man yet?

HOFFA. I talked to Beck the other day and he told me he should [inaudible] this committee when [inaudible] to New York.

DIO. Uh-huh.

HOFFA. Now I haven't heard from him exactly what the committee is, but I'll talk with him this afternoon at 3 o'clock and I'll remind him again about this committee.

DIO. Uh-huh. Well, all right, Jim; I just thought I'd give you a buzz, you know.

HOFFA. Yes, John.

DIO. I'll tell you what I'm gonna do though. We're lining up—I think we're going to have about 20 strikes before that meeting.

HOFFA. Well, that's good.

DIO. You know what I mean?

HOFFA. I think it's good; it will stimulate the activities.

DIO. It will stimulate the activities and don't let the other guy — them how much he controls.

HOFFA. Right.

DIO. You know what I mean?

HOFFA. Right——

DIO. Well, the reason before I pulled it I thought I'd consult with you on it.

HOFFA. I think that's [inaudible] show him who the — got the people.

DIO. O. K., I've had some very nice committee meetings and, by the way, I was reelected Sunday in my industrial for 4 more years.

HOFFA. You didn't think I had any doubt about that, did you?

DIO. Well, I was worried.

HOFFA. Oh, yeah; you looked it.

DIO. I mean it.

HOFFA. Ho, ho, ho——

DIO. I'm not—look, Jim——

HOFFA. Huh?

DIO. I'm never too cocky. After I got it done then I know it's over.

HOFFA. Remember what I told you about my opinion of how workers [inaudible] treat 'em right and you don't have to worry.

DIO. Well, I saw a movie the other day and it said the whole world goes with a lover, and I guess they go with the underdog too.

HOFFA. Well, I don't know. I say this—all you got to do is treat union guys right and they're all O. K.

DIO. Well, anyway, next week, Jim; I'm going to be out there to that wedding. you know.

HOFFA. Yeah.

DIO. I hope you're there.

HOFFA. I'll be in town.

DIO. Good.

HOFFA. Fine.

DIO. All right then; give my regards to Bert.

HOFFA. I'll do it, Johnny.

DIO. Right.

HOFFA. Right.

DIO. Bye.

Mr. FITZGERALD. May I address the Chair for just a moment? I wanted to make sure that my objection originally to these interceptions or recordings of interceptions is continued to all of them so I won't disturb you any more about it.

The CHAIRMAN. They have. The record will so show, and the record each time will show the same objection made, and the same ruling by the Chair.

Proceed.

Mr. KENNEDY. Now, Mr. Chairman, once again, this recording as well as the other recordings that have been made, show that Mr. Hoffa and Mr. Dio were working together in this matter.

The CHAIRMAN. The Chair will order, also, that the transcript of each recording played be inserted in the record immediately after it is played. You will do that, Mr. Reporter.

Mr. KENNEDY. Now, Mr. Hoffa, can you tell us what, starting on page 3, you say:

I talked to Beck the other day and he told me about the committee in New York—

what were you reporting to Mr. Dio about that?

Mr. HOFFA. Well, apparently when Dio called, and—just a moment, if I can get the date here.

The CHAIRMAN. May 7.

Mr. HOFFA. That was the 13th, the meeting at the Hampshire House.

The CHAIRMAN. This was on May 7.

Mr. HOFFA. Apparently when Dio called he was inquiring as to what committee would meet, and I did not know, and probably told him I am going to find out and let him know, according to this.

Mr. KENNEDY. Does this refresh your recollection at all as to whether you were trying to bring Dio into the teamsters?

Mr. HOFFA. It does not refresh my recollection of trying to bring him in. It refreshes my recollection it was doing what I have been saying all day, to bring the cab union into the teamsters.

Mr. KENNEDY. Does it refresh your recollection that you were trying to build him up and build that organization up prior to the meeting so that you would have to bring them into the teamsters union?

Mr. HOFFA. I would say it necessarily would go to the cab union, it would have been built up with 20 strikes, which I would not object to, and it would have proven my point.

Mr. KENNEDY. Mr. Dio was keeping you informed as to the strikes, as he says down here, "The reason before I pull it I thought I would consult with you on it."

He was consulting with you, and he was your representative in that area.

Mr. HOFFA. Certainly he was not my representative. He was representing the UAW-AFL.

Mr. KENNEDY. But the point is, Mr. Hoffa, in this area as has been reported to you already, on February 26, 1953, there was activity among the teamsters, and there was activity among the teamsters to try to organize the cabdrivers. Here is Mr. Dio also trying to organize the cabdrivers, and it is obvious from this that you are siding with Mr. Dio against your own teamsters organization.

Mr. HOFFA. Well, it does not necessarily, from my way of reading it, and I understand there are more ways than one to read the English language. It would seem to me what this indicates is that I was trying to preserve an organization we were trying to take in, or enlarge the organization so if it came in, the way I was trying to suggest, it would be an organization. It seems to me that he—

Mr. KENNEDY. This is what Dio said to you: "I think we are going to have 20 strikes before that meeting." "Well, that is nice," you said. "You know what I mean? I think it's good; it will stimulate the activities." Why did you want to stimulate the activities before this meeting?

Mr. HOFFA. It is necessary to keep stimulation in any organizing drive and I suggested it be stimulated so if we took it over, it would have been an organization worth taking over.

Mr. KENNEDY. That is not an answer to the question. It is prior to the committee meeting. That is what it is connected to. You wanted to stimulate and have Mr. Dio's activities in New York with the taxicab drivers stimulated before the committee meeting, so it would appear that they were active. Why is it that you wanted to side with the UAW, Mr. John Dio, rather than with your own teamsters organization that was active in this field?

Mr. HOFFA. Mr. Kennedy, as I stated earlier in this discussion, I don't believe we had an organization that was actually organizing cabdrivers, because there was no cab local in New York.

Mr. KENNEDY. Mr. Hoffa—

Mr. HOFFA. I was trying to, and again reading this testimony here, trying to keep that organization apparently in force to see whether or not we would take it over.

Mr. KENNEDY. That could not be possible. On February 26, Mr. Dio called you and told you that the organization was active in New York, and it was causing him trouble, and that is the time you said, "I will call Mr. Beck about it"; and so it could not be possible, and you can't possibly say you did not know that.

Mr. HOFFA. I don't understand what I did not know.

Mr. KENNEDY. That you did not know that the teamsters were active in the taxicab field in New York; on February 26 Johnny Dio called you and told you that they were active.

Mr. HOFFA. You gave the copy of the tap? Then it refreshed my memory from what was in there, to the best I could do on it, that John Strong was apparently trying to organize some cabdrivers. Now, that does not necessarily mean that John Strong had a right to organize cabdrivers. His charter did not cover cabdrivers.

Mr. KENNEDY. Now, the point is that you knew at the time that this conversation was held that the teamsters were interested under John Strong in organizing the taxicabs, and yet you were siding with Johnny Dioguardi, and his organization and his activities, against your own teamsters in New York City.

Mr. HOFFA. Because I was trying to bring that organization into the teamsters union.

Mr. KENNEDY. Why were you trying to stimulate the activities so it would look active prior to the committee meeting? Why would you want to do that, unless you wanted to try to build this organization up to appear active and have them get the charter, rather than the teamsters organization get the charter; namely, Mr. Hickey get the charter?

Mr. HOFFA. Probably to win my point of having that organization take over the charter, rather than issue a new charter.

Mr. KENNEDY. That is correct.

Mr. HOFFA. That would probably be, but it does not necessarily follow that John Dio would go with the charter, as I tried to outline.

Mr. KENNEDY. You wanted this organization to take over, because you wanted to get a foothold in New York City and you wanted to circumvent Tom Hickey, and you knew if he operated the taxicabs, or if his people operated the taxicabs, you would be out then.

Mr. HOFFA. Well, the best evidence I can give to this committee, with all due respect to you, we don't have the cabdrivers today.

The CHAIRMAN. Let me ask you, Mr. Hoffa, was not that in the jurisdiction of Mr. Hickey?

Mr. HOFFA. In New York City, yes, unless the general president would assign somebody else.

The CHAIRMAN. Did he assign you to it?

Mr. HOFFA. Apparently he did or I would not have been there. I think according to that transcript Mr. McNamara read, I myself have been assigned there.

The CHAIRMAN. Do you have anything you can recall?

Mr. HOFFA. I can't, except when Senator McNamara read.

The CHAIRMAN. Isn't that a most unusual thing?

Mr. HOFFA. I don't think so.

The CHAIRMAN. It looked like you were just, what do you call it in labor organizations, raiding, kind of raiding Hickey's territory.

Mr. HOFFA. Well, of course, I do not think Vice President Hickey has any territory staked out as such as Vice President Hickey's territory, and I was to go in there on an assignment, it could not possibly be misconstrued as raiding.

The CHAIRMAN. You have not said there was an assignment yet.

Mr. HOFFA. I say that the refreshment that Senator McNamara read to me, out of Hickey's testimony, indicates that there was.

Mr. KENNEDY. Now, Mr. Hoffa, what is it you are referring to there?

Mr. HOFFA. What is that?

Mr. KENNEDY. What is it you are referring to, where it says Mr. Beck appointed you in New York? There was nothing like that read in the transcript.

Mr. HOFFA. There was a committee, and again I believe that Senator McNamara somewhere read, or we discussed, and I can't recall which, the fact that there was a committee and he asked me whether Beck sent me in there or who sent me in. I think if you will check the record, that was what Senator McNamara says.

Mr. KENNEDY. Well, answer it.

Senator McNAMARA. I think maybe the suggestion is a good one to check the record, but I definitely remember I was not reading from the transcript at that point. I was asking you how come you were there, and it was a verbal conversation, and not read from the record. I was asking you if you were assigned there, and you indicated that you did not remember very well, but apparently you and Hickey were both assigned; that is what I got out of it. That was not from the record. It was immediately following where I had been reading from the record.

Mr. KENNEDY. I saw the record open, and you had been reading and I thought you were reading on. I could not, even then, come to a conclusion.

Senator McNAMARA. I will find it, Mr. Chairman, where my conversation with Mr. Hickey indicated that both he and Hoffa were assigned by the general president. This is Hickey's testimony, and not yours. I will find it, and I am looking for it now.

The CHAIRMAN. Proceed.

Mr. KENNEDY. Again, going back to this transcript, it says:

I think it is good, it will stimulate the activities.

You wanted to get the UAW activities stimulated just before this committee meeting?

Mr. HOFFA. Well, I assume, from the telephone tap, that I did.

Mr. KENNEDY. I don't understand, if they had such an active organization and such a good organization, why it would be necessary to stimulate this activity before the meeting.

Mr. HOFFA. Well, of course, I think on page 4, at the top, is the answer to your question. That is the way it is read:

I think it showed him how they got the people.

If they have the people in the UAW, and they had members, they would have additional members, and it may have had some weight to convincing the charter to be issued to that group of people.

Mr. KENNEDY. Well, it says here: "Will stimulate the activities, and don't let the other guy know how much he controls." It was an operation for the purpose of trying to impress this committee without any evidence or basis of fact in it. You were trying to impress the committee; you and Dio were trying to get activities just prior to the committee meeting so that they would turn this organization over to Johnny Dio rather than turn it over to the teamsters. It is just incredible to me that you would be turning against your own organization.

Mr. HOFFA. It wasn't a question of turning against the teamsters. I tried to explain that we are trying to bring that organization into the teamsters; I was trying to bring it into the teamsters. It was not "out," but "into."

Mr. KENNEDY. What about Mr. Johnny Dio, who was working so closely with you?

Mr. HOFFA. Well, what about it?

Mr. KENNEDY. What was he going to do?

Mr. HOFFA. Well, I see here—all I can do is read what you gave me—that he was elected for a period of 4 years to the industrial, and the industrial, I believe, was 649. So I said O. K.; I have had some very nice committee meetings and, by the way, I was elected by my industrial for 4 more years. Apparently, he was anticipating staying with the industrial; he just got elected.

Mr. KENNEDY. You mean to say that he was planning and arranging, at that time, to give up the whole organization of local 102, and these conversations that you had with him, and working together, wasn't for the purpose of him coming into the teamsters, also?

Mr. HOFFA. I don't know what he was anticipating, but the fact remains that I was trying to bring 102 into the teamsters, where the rightful jurisdiction belonged.

Mr. KENNEDY. And you still can't recollect what your position was on Johnny Dio. You still can't do that?

Mr. HOFFA. I think that I have answered, unless you can refresh my memory.

Mr. KENNEDY. We have been trying to do that for 5 hours, and we don't seem to be getting very far.

Mr. HOFFA. I can't answer you something that I don't recollect or recall. I don't think, Senator, I am called here to testify to something that I don't have knowledge of or can't refresh my memory on.

Mr. KENNEDY. This was pretty important, and you went down to Miami and you met in New York, and you were active on the telephone and you were active in meetings, and you can't remember anything about it. All of this activity was with Mr. Johnny Dio.

Mr. HOFFA. Well, 30,000 members is a very important thing. There were approximately in the potentiality of 30,000 new members for the teamsters, and so it would be a very important project. It would be very important.

Mr. KENNEDY. I agree. I would think you would remember.

Mr. Chairman, again, on this same point—and we are trying our best to help you refresh your recollection, Mr. Hoffa—could we play another transcript of Mr. Hoffa?

The CHAIRMAN. All right; bring on the recording.

(Transcript of telephone conversation between Johnny Dio and Jimmy Hoffa on May 12, 1953, follows:)

WOMAN'S VOICE. Just a moment, please.

Second woman's voice inaudible.

MAN'S VOICE. Hello?

SECOND MAN'S VOICE. Hello.

WOMAN'S VOICE. Just a moment, please. Are you Mr. Dioguardi?

JOHNNY DIO. That's right.

WOMAN'S VOICE. One moment, please. Mr. Dioguardi's on the line. Voice inaudible.

DIO. Hello.

WOMAN'S VOICE. He'll be right with you.

DIO. All right, thank you.

JIMMY HOFFA. Hello.

DIO. Hello, James.

HOFFA. Hello, Johnny; how are you?

DIO. How you feeling?

HOFFA. I feel good.

DIO. You still bouncing around, for C——'s sake; don't you ever rest?

HOFFA. Ha, ha; only the wicked rest.

DIO. Only the wicked?

HOFFA. Yeah.

DIO. Well, then, I'm not wicked.

HOFFA. O. K.; you're working.

DIO. Yeah. I—ah, I understand you're coming in town?

HOFFA. Coming in tonight.

DIO. Tonight.

HOFFA. Yeah, and I'll be there in the morning for that meeting in Einar Mohu's room.

DIO. Well, can I pick you up today?

HOFFA. Jim, I don't get in till 3:40 in the morning.

DIO. 3:40 in the morning.

HOFFA. Yeah; there's no sense in you staying up that late——

DIO. Aw, I could pick you up at 3:40 in the morning——

HOFFA. Ha, ha; what the h——; I could take——

DIO. What?

HOFFA. I can take the cab and——

DIO. I don't want you to get lost in New York, for C——'s sake.

HOFFA. Ha, ha, ha—do you know what time 3:40 in the morning is?

DIO. That's all right; 3:40 in the morning is O. K. with me.

HOFFA. If it's O. K. with you, I'm gonna be at the ah—what the h——, what the h——

DIO. What flight number is it?

HOFFA. 618.

DIO. 618? Where? Idlewild or LaGuardia?

HOFFA. Just a minute and I'll tell ya—wait until I check it, Johnny.

DIO. All right.

HOFFA. Hello. Hello. Hello.

DIO. Hello.

HOFFA. LaGuardia, John.

DIO. LaGuardia?

HOFFA. Yeah.

DIO. All right. I had my first, ah—party yesterday.

HOFFA. How'd you make out?

DIO. I pulled out National's garage—National Transportation; their one unit.

HOFFA. Uh-huh.

DIO. 280 cabs.

HOFFA. Uh-huh.

DIO. I lost 18 cabs out of 280. Had a terrific meeting and a terrific turnout. I think it will be in the newspapers today. And we terminated this morning—we terminated at 12 o'clock today on the 1-day shot.

HOFFA. Uh-huh.

DIO. A hundred percent successful.

HOFFA. J—C—, I'm glad to hear that, and I'm glad it happened before this meeting.

DIO. Well, and not only that—tomorrow, I will give you a big party too while you're here—

HOFFA. Good.

DIO. I'm going to give you a big party tomorrow while you're here.

HOFFA. Fine.

DIO. O. K.?

HOFFA. How were the men, all right?

DIO. Perfect. Wonderful.

HOFFA. Uh-huh.

DIO. I still say I'm ready to lay it on the table.

HOFFA. Good, ah—when, ah—when we get in there we'll outline what we're going to do tomorrow.

DIO. Right.

HOFFA. Right.

DIO. That's why I want to talk to you before tomorrow, see.

HOFFA. Fine, John.

DIO. All right, James. How's the family?

HOFFA. Oh, fine, thanks.

DIO. How's Bert?

HOFFA. Good.

DIO. Say hello to everybody.

HOFFA. I'll do it, Johnny.

DIO. All right.

HOFFA. Right

DIO. I'll pick you up tonight.

HOFFA. Right.

DIO. Right.

HOFFA. Right.

DIO. Bye, bye.

(At this point, Senator Ervin entered the hearing room.)

The CHAIRMAN. Are there any questions or any answers?

Mr. Hoffa, do you wish to comment?

Mr. Hoffa. Yes, sir, I will comment on this conversation, with your permission.

The CHAIRMAN. All right. Proceed.

Mr. Hoffa. I notice here that this is a telephone conversation between John Dioguardi and myself, and it must have been the day preceding the meeting in New York, which was May 13.

The CHAIRMAN. This is dated May 12.

Mr. Hoffa. Yes, sir. I say this was the day preceding.

The CHAIRMAN. Yes.

Mr. Hoffa. And apparently this is one of the 20 strikes, I believe, that was talked about in the other recording, I believe of May 7, without taking time to search through it, and it could very easily have been that I discussed with him the question of calling this strike, again to preserve the organization, so that when we took it over we would have had an organization.

If it could be construed that I was working with him on that basis, then I wouldn't quarrel with the construction.

But, it doesn't necessarily follow through to any other conclusion than what I have been making, that I wanted to take that organization into the teamsters union.

If I could take it in with a strong, healthy union, it would have been much better.

Now, I notice on page 3, the bottom of page 3 and the top of page 4, it talks about a big party. I assume that also meant probably some additional strikes.

Then I notice in the middle of the page, where Dio states, "I still say I'm ready to lay it on the table," which probably means that he

has more applications and a sufficiently strong organization to present the argument that the cab union of the UAW should be taken into the teamsters union.

Then Hoffa talks about "Good—ah—when, ah—when we get in there we'll outline what we're going to do tomorrow."

Apparently I was going to discuss with him the question of my attempt to have the UAW local union come into the teamsters union, rather than form a new organization.

This refreshes my recollection to that point out of the interpretation of this conversation.

The CHAIRMAN. Mr. Hoffa, does it not also refresh your recollection to the extent that you knew when you took it in, Dio was coming with you?

Mr. HOFFA. I beg your pardon?

The CHAIRMAN. Did it not also refresh your recollection to the extent that you know that that man was not going to try to help you get it in that organization unless he was coming with it?

Mr. HOFFA. No, sir, it doesn't, Senator, because I have spent many days and many weeks trying to do a job such as this for our own international union, as an international officer.

The CHAIRMAN. Are you yet prepared to say positively that you did not plan to take Johnny Dio in with you?

Mr. HOFFA. No, sir. I have made the statement, and to the best of my recollection I have to stay with it, that I would have taken him, if it took that point, to bring them in. But I don't ever recall that I actually said I would. If I did, and you can remind me of it, I would say it.

The CHAIRMAN. I know. It is a little bit difficult to understand all of his activities out there pulling strikes and working day and night, and doing everything he can to get the thing in shape for you to take it over, trying to get rid of something as good as that and him not have any interest in it afterward. It just does not add up.

Mr. HOFFA. I will venture to say, Senator, that many times you have worked on projects to complete something to your satisfaction, even though you didn't have any benefit out of it.

The CHAIRMAN. I never worked that hard to get rid of something that I invested \$200,000 in, that he said he had.

Mr. HOFFA. I answered Senator McNamara without actually doubting him, that I couldn't see where he could spend that kind of money.

The CHAIRMAN. He maybe did not. I do not know whether that is true or not, but that is testimony here, that he had spent that much. But I do not see that much activity to try to get rid of it for nothing.

Mr. HOFFA. I don't think anybody would have spent the \$200,000, Senator.

Senator ERVIN. And for a man who loves sleep as much as I do getting up at 3:40 a. m. in the morning to meet somebody at the airport would be almost equivalent to that sacrifice.

Mr. KENNEDY. I would just like to point out that, prior to this call that was made on May 12, 1953, an article had publicized the fact that Mr. Johnny Dio had been indicted for income-tax evasion.

Mr. HOFFA. At that time, you say, sir?

Mr. KENNEDY. Yes. April 28, 1953. I would like to read you the reason why he was indicted, for what moneys he received, as it appeared in the press at that time.

Mr. Hogan reported that Dioguardi sold his dress business for \$12,000 in 1950.

This is what I want you to listen to :

He obtained an additional \$11,200 in the following year, the prosecutor said, "by using his influence to prevent the Allentown plant from being unionized."

That was public information, that he was receiving a payoff for a period during 1951 when he was in the labor-union movement, this man, Johnny Dio. It was public information that he was receiving a payoff for keeping a plant nonunion, and at that time you were trying to bring him—this was the man that you were meeting with and you were discussing tactics and policy with. Did you have any question about him at that time?

Mr. HOFFA. I had no question about the fact that he represented the UAW-AFL, and that is who I was trying to get the members from.

Mr. KENNEDY. But this is public information, that he received a payoff for keeping a shop of his nonunion, and you want to say that this same individual was such a wonderful man that he was trying to get the organization of the taxicabs into the teamsters, but he wasn't going with it; that he was going to get up at 3 o'clock in the morning to come out and pick Jimmy Hoffa up at the airport at 3:40, just because he was going to get the organization into it and wasn't going to get anything out of it himself.

Is that what you want this committee to believe?

Mr. HOFFA. Was the information made public that you talked about there, with regard to some strikebreaking? Was that a newspaper report or an investigative report?

Mr. KENNEDY. He was indicted by Mr. Hogan, the district attorney, for income-tax evasion, and it was a public report of that indictment.

Mr. HOFFA. I recognize the fact that he was indicted for income tax.

Mr. KENNEDY. It was for that reason that I read you from the newspaper report, the reason that he was under indictment for receiving a payoff for keeping a shop nonunion. You are arguing that the same man who received that kind of a payoff was getting up, doing all of this work, just because he wanted to get the UAW organization into the teamsters and did not want anything out of it himself, and he was meeting with you? That just does not make sense, Mr. Hoffa. It just does not make any sense at all. You cannot even argue that the organization was active. They say right in here that it was his first strike.

Mr. HOFFA. What organization was active?

Mr. KENNEDY. The UAW-AFL. He said in here, "This is my first strike."

Mr. HOFFA. Are you talking about the cabs now?

Mr. KENNEDY. Yes.

Mr. HOFFA. That is possible. I have organized 2 or 3 years before I could call a strike.

Mr. KENNEDY. But he is organizing 20 strikes, he says. And you say that is good; get the activity before the meeting.

Mr. HOFFA. It is possible they won some elections and got some satisfaction before a strike. That could have happened, too.

The CHAIRMAN. Mr. Hoffa, the information counsel gave you about Dio's indictment was published in the New York Times, with Dio's

picture, on April 23, 15 days before your meeting. It is bound to have been called to your attention at that time. Do you say you did not know that?

Mr. HOFFA. No, sir; I did not. I said I knew that he was indicted for income tax.

Mr. KENNEDY. Did you know anything else about him? Did you know that he had been convicted of extortion in 1937 and had been in Sing Sing?

Mr. HOFFA. I think that earlier in the discussion I said I learned, whether or not it was that time or later, that he had been.

Mr. KENNEDY. And the hiring of Benny the Bug, his hiring of Joe Curcio with a police record, Abe Goldberg; and that he had been denounced for running a racket union; that the district attorney had denounced him in 1952 for running a racket union; that the AFL had charged him with racketeering; all of these things prior to the time that you are having these conversations with him and meeting with him?

(The witness conferred with his counsel.)

Mr. HOFFA. Mr. Kennedy, you met with people who can complete the negotiations, and many times during meeting those people you meet them at odd hours or anyplace that is necessary to complete the negotiations.

Mr. KENNEDY. "I am glad to hear that," you say about the fact that he is going to have the strike before the meeting. "I am glad it happened before this meeting."

Mr. HOFFA. Well, it would appear to perpetuate our organization by making it stronger if we won the strike.

The CHAIRMAN. Mr. Hoffa, this indictment that occurred here right after you had had that conversation in which you said you understood someone was going to give him a rap—is that what he is talking about in anticipation of this indictment?

Mr. HOFFA. I certainly would not have any knowledge, sir, prior to an indictment, of an indictment coming out. I would not say that.

The CHAIRMAN. Well, sometimes you get a little rumor that officers are after somebody, the Revenue Department is out to indict. You do get rumors of these things sometimes beforehand. I wondered if that is what you referred to when you said you understood somebody was going to give him a rap.

Mr. HOFFA. I think it would be a complaint, rather than what we are discussing here. That would be my opinion, sir.

The CHAIRMAN. Proceed.

Mr. KENNEDY. You state on page 4, "Good, when we get there, we will outline what we are going to do tomorrow." You were working together, were you, at that time?

Mr. HOFFA. To the point of bringing in that organization, I was, and I wanted to talk to him as to what I was going to do to bring the organization into the teamsters.

Mr. KENNEDY. Without him?

Mr. HOFFA. I would have taken them with or without, but at that time I was trying to take them without.

Mr. KENNEDY. You were trying to take them without?

Mr. HOFFA. Yes; certainly.

Mr. KENNEDY. He knew that?

Mr. HOFFA. Mr. Beck had told him that in Florida.

Mr. KENNEDY. And he agreed?

Mr. HOFFA. I think he realized that they did not have the jurisdiction and they could not keep them. It was just a question of giving up the complete union or turning it over to the teamsters.

Mr. KENNEDY. No; there is a third alternative.

Mr. HOFFA. What is that?

Mr. KENNEDY. Him going with it.

(The witness conferred with his counsel.)

Mr. HOFFA. The question of him coming with the union was to the extent, according to you, and according to what you are trying to say, to get the union in. Now, I have said that, if that would have solved it, and if I would have had the authority, I would not have objected to it. But, since it had been stopped by President Beck, I was attempting to get the union in, and its officers.

Mr. KENNEDY. All he was trying to do, this grand fellow, Johnny Dio, all he was trying to do was work hard so that this organization could go over to the teamsters and he could say, "Farewell; I will go back to local 649."

Mr. HOFFA. I can't tell what he was thinking, but I know what I have said is to the best of my recollection.

Mr. KENNEDY. Did you have conversations at that meeting the next day? Were there not other conversations about the specific question of whether Dio would come into the local or not, into the teamsters or not?

Mr. HOFFA. I have tried to give you, and only by refreshing my memory out of what Hickey said could I give you, what I gave you so far.

Mr. KENNEDY. So, you cannot tell us anything about that either, can you?

Mr. HOFFA. I have tried to give you what I know. If you have something to refresh my memory, I will try to listen to it.

(Members of the select committee present at this point were Senators McClellan, Ives, Ervin, and McNamara.)

Mr. KENNEDY. Do you like these things when we refresh your recollection?

Mr. HOFFA. It isn't a question of that. You are accusing me of bad faith and bad memory, and, if you have something that will refresh my memory, and for legislative purposes, I think you ought to be satisfied to give it to me so I can answer the question to the best of my ability and my recollection. That is all I can say, sir.

Mr. KENNEDY. We don't seem to be getting any answers from you, and, after we refresh your recollection—before we refresh your recollection or after we refresh your recollection.

Mr. HOFFA. If you would just take these conversations as they are, and try to be able to read them and not being able to recall everything that happened, I think you would have to agree that the conversation, as such, doesn't say much.

Mr. KENNEDY. We have refreshed your recollection about a half dozen times, Mr. Hoffa, and, as has been pointed out before, at least a day or so ago, you were complimented for having such a good memory. I just am amazed that it suddenly failed you today.

Mr. HOFFA. I would like to answer Senator Ives and yourself on that statement, because it has been made twice, and I didn't want to say anything, but may I do so? The reason I have remembered

what Senator Ives was reading was because I had discussed that with a reporter representing the St. Louis Post-Dispatch, and I asked him about the fellow's health, and I remembered that about the article he had written about me.

Senator IVES. Mr. Chairman, that is an indication of a pretty good memory right there, Mr. Hoffa. Now, you can't sit there and not convince me that you haven't a very high I. Q. You certainly have. The record shows it. Now, I don't know how much this memory business that you are talking about has to do with it, or whether your memory actually does fail you or not, but I think you have a good memory. As I said before, I think that you are about the best forgetter of anybody I have ever known.

Mr. HOFFA. Well, Senator, I have tried to say what I can recollect, and I was attempting to do that, and it was a very simple thing, and I can't understand yet how it got so big.

Senator IVES. Now, your answers to Mr. Kennedy just don't make sense. You are not a stupid individual. I have given you credit for having a high I. Q., which I think you do have. You will have to sit there and you will have to recognize that your answers haven't made sense.

Mr. HOFFA. Because of my failure to recollect, sir.

Senator IVES. They don't make any sense, anyway.

The CHAIRMAN. Let us have order. We will play another recording.

Mr. KENNEDY. I might just say that this is a poor recording, but we are able to get some words on the transcription out of it.

Senator McNAMARA. Who originated the conversation, and it is not evident from this.

Mr. KENNEDY. We will try to check it.

The CHAIRMAN. All right, if you can't determine who called whom.

Mr. KENNEDY. It is Hoffa to Dio, Senator.

Senator McNAMARA. I think the record should so show.

The CHAIRMAN. This is Mr. Hoffa to Mr. Dio, on May 14, 1953.

(Transcript of telephone conversation between Jimmy Hoffa and Johnny Dio on May 14, 1953, follows:)

MAN'S VOICE. All right. He's picking up the phone.

JIMMY HOFFA. All right.

JOHNNY DIO. Hello.

HOFFA. Hello, Johnny?

DIO. Yeah.

HOFFA. How ya doing?

DIO. Oh, I'm tired.

HOFFA. Listen; I just came from that fellow's office.

DIO. Yeah.

(Hoffa inaudible.)

DIO. Uhuh.

HOFFA. And, ah—he positively, definitely, went on record as opposing you, ah—getting a charter.

DIO. Who's that? Marty?

HOFFA. Yeah.

DIO. Yeah; well, I figured that when I spoke to you this morning.

HOFFA. He went on—definitely on record against it—

DIO. What, Jim?

HOFFA. Huh?

DIO. I didn't hear you.

HOFFA. And we made mention of the fact that you had [inaudible].

DIO. Uhuh.

HOFFA. And so forth and so forth, and it boiled down to what I told you this morning as to the way they're going to handle this issuance of the charter. They're going to reach Beck now.

DIO. Uhuh.

Hoffa inaudible.

DIO. Uhuh.

HOFFA. The charter will be issued, ah—if Beck follows [inaudible] suggestions.

DIO. Well, what time are you going to leave, Jim?

HOFFA. 3:40, for the airport.

DIO. Well, where are you now?

HOFFA. I'm at the hotel, John.

DIO. Well, ah—don't you think I ought to come over there with Tony?

HOFFA. O. K.

DIO. Huh?

HOFFA. Ah—O. K. I'll be here; if I'm not here, I'll be in my room.

DIO. All right, within the half hour.

HOFFA. Right.

DIO. Right. Bye, bye.

Mr. KENNEDY. Does that help, Mr. Hoffa?

Mr. HOFFA. Well, I think it certainly concludes a considerable misunderstanding as to what happened. When you read the phone conversation, it indicates to me the fact that at this meeting apparently leaving it in Beck's hands, it turned down the suggestion of the AFL people, or rather the UAW-AFL people, coming into the teamsters union. And the fact that in this conversation, I believe, we must have been at the meeting I told you about, the second meeting—I thought it was later, but probably the next day—and we went to Lacey's office, and he refused to cooperate. So, apparently, this ended the question of bringing the UAW into the teamsters.

The CHAIRMAN. Well, now, Mr. Hoffa, that is your voice, and, if this recording is correct, you called up Mr. Dio and told him, "He positively definitely went on record as opposing you getting a charter." Obviously, Johnny Dio had been expecting a charter. And you had found the opposition and were so advising him. Is that correct?

Mr. HOFFA. Well, I think that has to be constructed in a proper way and I believe it would apply to the union. You speak to a man representing the union, probably, as you do here.

The CHAIRMAN. It says "opposing you," and it doesn't say "opposing the union."

Mr. HOFFA. When I say you, "representing an organization," it wouldn't mean you.

The CHAIRMAN. I see he got busy and he came right on over, and do you remember what happened after he got over there?

Mr. HOFFA. I don't remember what happened, and he was probably giving fuller detail, and I can't say what, and he was probably giving fuller detail that they had decided not to take in the UAW-AFL into the teamsters. That is, apparently, what it reads to me.

The CHAIRMAN. I think Mr. Beck had already opposed that, had he not?

Mr. HOFFA. Yes, but I think that the question was, in Florida, of Beck rejecting Dio. I think the conversation in New York must have followed, concerning the question of my suggestion to bring the UAW-AFL into our group and get a charter as against the opposite view that there should be a new organization established.

The CHAIRMAN. You said you had come from that fellow's office. Who is that?

Mr. HOFFA. I believe it was Martin Lacey's office, from the way it reads, and I am, again, calling on my best recollection and, after reading this, trying to refresh my memory as to what it means. It sounds like that.

The CHAIRMAN. Following that, you said he "positively definitely, went on record as opposing you getting a charter," and then Dio said, "Who is that; Marty?" And you said, "Yes." Marty is who?

Mr. HOFFA. I think it would be Martin Lacey. I would think so. When I talk about this conversation, sir, I think I am talking about the representative of UAW-AFL.

The CHAIRMAN. I believe he testified that he opposed giving Dio a charter, did he not?

Mr. KENNEDY. Mr. Lacey did not testify to that point.

The CHAIRMAN. All right; it is my mistake.

Mr. HOFFA. On No. 2, if you please, where it says "Hoffa: The charter will be issued, ah—if Beck follows [inaudible] suggestions," which probably was the suggestion, and I imagine that would follow Mr. Hickey's suggestion, because he was opposing the theory that I was trying to put forth.

Senator ERVIN. May I ask a question there? Do you not think that the statement that you are reported as making to Dio on page 1, concerning, namely, Lacey, that he had "positively gone on record as opposing you getting a charter," is susceptible of the interpretation that what had been contemplated between you and Dio was that Dio was to have an interest in the matter?

Mr. HOFFA. I think you could interpret it that way, and I would not quarrel with the interpretation.

Senator ERVIN. Is that not the most reasonable interpretation to be placed on it?

Mr. HOFFA. Not the way I talk, sir.

Senator ERVIN. On the next page, you say that you evidently talked to him that morning and you said, "I told you this morning as to the way they were going to handle this issue of the charter." That is at the top of page 2. Would that not imply that they were willing to issue the charter, but they were not willing to issue the charter if Dio was to be connected with the matter, or the new local or the local that was to get the charter.

Mr. HOFFA. I think, sir, it bears out the statement that I have been trying to make here; that they had been discussing the question, first of all, of issuing a separate charter, a teamsters charter, and not taking in Dio, and I believe that that statement there affirms the situation I have been trying to say here all day.

Senator ERVIN. Is it not reconcilable with this interpretation, however, that you and Dio had been talking about a charter being issued and Dio going along with the local, and other people, had turned thumbs down on it, and, therefore, you could not carry out what you and Dio had been talking about?

Mr. HOFFA. Well, sir, I do not want to argue with you, but I would put the construction on it that it would mean that the effort I had been trying to put forth in getting the charter for the then present UAW-AFL had fell through, and it was a debatable question of what would happen.

Senator ERVIN. It still indicates, does it not, in your conversation on page 2, that the teamsters were considering issuing a charter, but they were going to issue the charter only if Dio had nothing whatever to do with it. That is with the teamsters after the charter was issued.

Mr. HOFFA. Well, sir, I do not think that there was ever a question of a teamster-issued charter; it was how it would be issued.

Senator ERVIN. That is what I am getting at, and so I say it seems to me that this, in the light of other recordings, is susceptible of the construction that you and Dio had been negotiating on the theory that the teamsters were to take along with these locals, and that other members of the teamsters would not permit you to carry out or consummate your negotiations with Dio.

Mr. HOFFA. Sir, I realize that two people can read the same thing and get different meanings. I realize, without having been present in the meetings and knowing the full details, and just simply looking at a paragraph, there could be an honest difference of opinion of what he read.

Senator ERVIN. You do not tell us about the details. Those are the things that Senator Ives has suggested you have forgotten.

Mr. HOFFA. But the problem is, I am trying to say, and I thought the details were there, that I wanted to bring in the UAW-AFL officers into a teamsters charter, and it was opposition to start a new teamsters union with new folks.

Senator IVES. The thing I have difficulty reconciling your recollection with is your statement that you had not discussed with Dio, or agreed with Dio, that, as far as you were concerned, Dio was to come along into the teamsters with these locals.

Mr. HOFFA. Senator, I have stated, and I think you were not here, but I have stated that if I would have had the authority and it was necessary to take that union over, I would have taken Dio with it.

Senator ERVIN. I have heard you state that. That is the reason I cannot understand your statement that you thought that Dio was doing all of this just out of the goodness of his heart and was not expecting to go into the teamsters with these locals when the charters were issued.

Mr. HOFFA. Sir, I think that he had an obligation to the people he had made officers or elected officers of the division of the cab union he had set up under 102, and he was trying to, probably, in my opinion, even though he was not going to be associated with it, because of Beck's decision, trying to get those folks a charter rather than to leave them out in the open in the cold.

Senator ERVIN. When you talked to Dio, as recorded on page 1, were you telling him that Lacey had absolutely refused or turned thumbs down on the proposition that the teamsters would issue a charter to these unions?

Mr. HOFFA. I think, sir, this was on the 14th; yes, and, from what has been reported by Mr. Kennedy, the meeting was the 13th. Then, we must have gone over and saw Lacey, and Lacey had refused to cooperate in regard to organizing cabdrivers.

Senator ERVIN. You are telling us that Lacey was not willing to take the cabdrivers into the teamsters?

Mr. HOFFA. Lacey did not want cabdrivers at all, to the best I could remember. If I can remember it rightly, and it is very hard

to remember, but I do believe that Lacey was objecting to any fashion of taking them in.

I think that is the best I can recall. I think that he is, to this day he is, objectionable to cabdrivers being taken into New York.

Senator ERVIN. What did you mean on page 2 there where you said that the charter will be issued if Beck follows suggestions.

Mr. HOFFA. I believe it was Hickey's suggestion, and I added here myself, where they put here what was said, I believe that would have been Hickey's suggestion, because he was suggesting, and which actually did happen, that a new teamsters charter be issued with new people.

Senator ERVIN. I have some difficulty accepting your entire presentation of Dio, because Dio did not impress me as being anything in the nature of an eleemosynary institution when he was here before us.

Mr. HOFFA. That may be the reason I am having trouble explaining my statements here, sir.

Senator ERVIN. That is all.

The CHAIRMAN. Is there anything further?

Mr. KENNEDY. I wish to point out in this transcript that you state to Mr. Dio, "And he positively went on record as opposing you getting a charter." Now, you are saying, as I understand your testimony, you are saying now, that that refreshes your recollection and "you" means the AFL-CIO?

Mr. HOFFA. No, sir.

Mr. KENNEDY. "We have finally been able to help you."

(The witness conferred with his counsel.)

Mr. HOFFA. Well, to the best that I could recall, and I said I was trying to recall it after reading this, and I could even—my memory could even be wrong in trying to recall after I read this—I interpreted this to mean that I was talking about the UAW-AFL international union—

Mr. KENNEDY. But you didn't say that. You said "you."

Mr. HOFFA. And that Lacey had objected, not only to that, but probably to Dio. I can't remember.

Mr. KENNEDY. You said here in this transcript, in this transcript you said "you." I would like to point out, Mr. Hoffa, that you were chairman of the Michigan Conference of Teamsters. You were vice president out in the central conference. You intervened here in New York. You arranged the trip originally in Miami, according to your own testimony, on February 9. You said that Mr. Beck at that time opposed Johnny Dio. But, despite that fact, you had a number of conferences and conversations with Mr. Johnny Dio; that there were conversations during this period of time that showed that Dio was trying to get derogatory information on a vice president of the teamsters; that he was going to turn that information over to you; that you had one of your assistants working with him at that time, Richard Kavner; that you had further conversations with him, in which you said that you were going to arrange your strategy at a meeting; that you had conversations with him that showed that you were in favor of him pulling some strikes just before the meeting, so that it would impress the committee.

And then you notify him in this last conversation, "Well, its too bad. Unfortunately, they are opposed to you getting the charter."

It just doesn't make sense any other way, Mr. Hoffa, for you to say that you were not interested in Mr. Dio at this period of time. We would like to explore with you tomorrow how interested you were in him, not only at this particular time but afterward.

The CHAIRMAN. All right. The Chair wishes to make two observations or announcements. This morning I asked a question regarding Joe Louis; whether Mr. Hoffa had any information that Joe Louis had been paid \$2,500 for coming to Washington during the time of his trial. The Chair did have some information to that effect, but the committee staff has called to my attention that they had contacted Mr. Louis about it, and, by affidavit, he denies that anyone gave him \$2,500 or any other amount.

I had a wire from Mr. Hurst stating that he has never been associated in the law practice with the Honorable A. G. Shelton, brother of Judge Burnita Matthews, and asks that the record be corrected. I know Mr. Hurst; I have known him many years. I was not sure this morning whether there had been a partnership or had not, but he says there had not been. The Chair does not think it is of any great importance, and, therefore, the record will stand that he has not been a partner of Mr. Shelton. They live in the same town, and they practice law in the same county and city, and I am sure they know each other, maybe quite well, but I would not want any implication, necessarily, that there was any connection on that score.

Mr. FITZGERALD. Mr. Chairman, may I address the Chair to put a statement into the record here, very briefly?

The CHAIRMAN. Yes, sir; you may.

Mr. FITZGERALD. May the record show, please, that the David Previant referred to in the transcript of May 1, 1953, is a duly licensed attorney at law and a member of the law firm of Padway, Goldberg & Previant.

The CHAIRMAN. Mr. Counsel, are you making that statement as a witness?

Mr. FITZGERALD. I am making it as an attorney. Mr. Previant has been associated in this particular matter. I was making it at the request of Mr. Previant right now. It is merely——

The CHAIRMAN. The Chair did not understand that. If you wish to make a statement as counsel, it will be all right. If you wish to state, and we will regard your statement as that of a witness, if you wish to state that you have procured that information from him, it may go into the record.

Mr. FITZGERALD. May I complete it?

The CHAIRMAN. Yes.

Mr. FITZGERALD. I was making it, not as a witness, Mr. Chairman, but as a counsel in this particular case. Mr. Previant has been associated in the——

The CHAIRMAN. Well, the Chair will lean over that far. Go ahead.

Mr. FITZGERALD. May the record also show that, at the time of such telephone call, there was an attorney-client relationship existing between the UAW-AFL and its local unions on the one hand and the law firm of Padway, Goldberg, & Previant on the other.

May the record also show——

The CHAIRMAN. Mr. Counsel, I do not know——

Mr. FITZGERALD. I think that is in the record, Mr. Chairman.

The CHAIRMAN. Is it already in the record?

Mr. FITZGERALD. Yes; it is in the record.

The CHAIRMAN. Insofar as any of this information is already in the record, it will be accepted, but I did not want you to make a statement here at random.

Mr. FITZGERALD. I will check the record. I would like to put it in and, if there is any question about it, I am sure it is in the record——

The CHAIRMAN. I will suggest, then, that you look into that, and we will consider it in the morning. I think that will be better. Do you not?

Mr. FITZGERALD. Yes, sir.

The CHAIRMAN. The committee stands in recess until 10:30 tomorrow morning.

(Whereupon, at 4:38 p. m., the committee recessed, to reconvene at 10:30 a. m., Friday, August 23, 1957.)

(Members present at the taking of the recess: Senators McClellan, Ives, Ervin, and McNamara.)

INVESTIGATION OF IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

FRIDAY, AUGUST 23, 1957

UNITED STATES SENATE,
SELECT COMMITTEE ON IMPROPER ACTIVITIES
IN THE LABOR OR MANAGEMENT FIELD,
Washington, D. C.

The select committee met at 10:30 a. m., pursuant to Senate Resolution 74, agreed to January 30, 1957, in the caucus room, Senate Office Building, Senator John L. McClellan (chairman of the select committee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Irving M. Ives, Republican, New York; Senator John F. Kennedy, Democrat, Massachusetts; Senator Sam J. Ervin, Jr., Democrat, North Carolina; Senator Pat McNamara, Democrat, Michigan; Senator Barry Goldwater, Republican, Arizona; Senator Karl E. Mundt, Republican, South Dakota; Senator Carl T. Curtis, Republican, Nebraska; also present: Robert F. Kennedy, chief counsel; Jerome S. Adlerman, chief assistant counsel; Paul J. Tierney, assistant counsel; Robert E. Dunne, assistant counsel; John Cye Cheasty, assistant counsel; Walter R. May, assistant counsel; Walter Sheridan, assistant counsel; K. Philip O'Donnell, assistant counsel; Carmine S. Belino, accounting consultant; Pierre E. G. Salinger, investigator; James Mundie, investigator; Ruth Young Watt, chief clerk.

(Members present at the convening of the session: Senators McClellan, Ives, Kennedy, and Goldwater.)

The CHAIRMAN. The committee will be in order.

Mr. Kennedy, you may proceed.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

Mr. KENNEDY. Mr. Hoffa, when did you last see Johnny Dio?

Mr. HOFFA. I would say, offhand, probably it could be 30, 60, or 90 days. It could be one of the two.

Mr. KENNEDY. Have you seen him this month, in August?

Mr. HOFFA. I don't think so.

Mr. KENNEDY. Did you see him in July?

(The witness conferred with his counsel.)

Mr. HOFFA. I am trying to fix the dates. I think I was here most of the month of July.

Mr. KENNEDY. Did you see him after your trial?

Mr. HOFFA. Maybe I can figure out a date for you.

(The witness conferred with his counsel.)

Mr. HOFFA. I am trying to fix a date. Just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. It could have been May or June, and I can't tell you offhand.

Mr. KENNEDY. Where did you see him?

Mr. HOFFA. In New York, someplace.

Mr. KENNEDY. In connection with what?

Mr. HOFFA. Nothing, I think that he was in the hotel lobby when I walked through.

Mr. KENNEDY. Did you have a talk with him at that time?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. About what?

Mr. HOFFA. I think general conversation.

Mr. KENNEDY. What about?

Mr. HOFFA. I don't know.

Mr. KENNEDY. Do you recollect?

Mr. HOFFA. I don't recollect and I will tell you why. I was in New York to appear in front of the grand jury, and there were a lot of things on my mind, and, since then, I have had a lot of things on my mind and I don't recollect what I talked to him about. I don't think it was of importance.

Mr. KENNEDY. What hotel was it?

Mr. HOFFA. I can't tell you.

Mr. KENNEDY. Did he go up in the elevator with you?

Mr. HOFFA. I don't know.

Mr. KENNEDY. Do you know if he went to your room?

Mr. HOFFA. I can't answer that. I don't know.

Mr. KENNEDY. You can't remember back, now this is 3 months ago, and you can't remember 3 months ago whether Johnny Dio was in your room, a man under indictment for throwing acid in Victor Riesel's eyes?

Mr. HOFFA. I cannot remember whether he was or not, as I said. It was that period of time and I just don't recall.

Mr. KENNEDY. You can't remember what you talked about and you can't remember whether he was in your room?

Mr. HOFFA. It wouldn't have been anything of any importance, and I can't recall it.

Mr. KENNEDY. When did you last talk to him on the telephone.

Mr. HOFFA. I will tell you in a minute.

(The witness conferred with his counsel.)

Mr. HOFFA. I am trying to fix a date for you.

(The witness conferred with his counsel.)

Mr. HOFFA. Somewhere after July.

Mr. KENNEDY. What was that in connection with?

Mr. HOFFA. He called me up to tell me that he had been convicted, and he wanted to know if his wife would need any assistance would I help her, and I said I would.

Mr. KENNEDY. You had been very friendly with him since 1953?

Mr. HOFFA. I have known him, yes.

Mr. KENNEDY. You have been friendly with him?

Mr. HOFFA. Friendly acquaintance, yes.

Mr. KENNEDY. He turned to you in his hour of need, and called you long distance in Detroit to ask you if you would take care of his family?

Mr. HOFFA. He didn't ask me that at all.

Mr. KENNEDY. Were you one of his closest friends?

Mr. HOFFA. I wouldn't say that, no; and I think he said, I don't know just how he phrased it, but to some extent would I look out and see if everything was all right.

Mr. KENNEDY. If someone is in trouble, they are going to go to their close friends to see if they are going to take care of their family. Was that the position you had with Mr. Dio?

Mr. HOFFA. It is not the position I had with him, that I could take care of his family.

Mr. KENNEDY. How many times have you talked to him in the last few months, half-a-dozen times?

Mr. HOFFA. No, I wouldn't say that.

Mr. KENNEDY. It is possible half-a-dozen times?

Mr. HOFFA. If I talked to him once or twice, I would be surprised. I don't recall, but maybe once or twice, and I can't recall.

Mr. KENNEDY. Did you talk to him since he appeared before the committee?

Mr. HOFFA. This committee?

Mr. KENNEDY. Yes.

Mr. HOFFA. Wasn't that just a week ago?

Mr. KENNEDY. Yes.

Mr. HOFFA. I haven't; no. I haven't; no.

Mr. KENNEDY. Have you seen him much in this year of 1957?

Mr. HOFFA. I could have seen him one or two times, or somewhere around there, and I can't tell you how often I saw him.

Mr. KENNEDY. You would visit together in New York?

Mr. HOFFA. I will leave it at that, I can't recall.

Mr. KENNEDY. You would visit together in New York, would you?

Mr. HOFFA. Did I, you say, when I was in New York?

Mr. KENNEDY. Did you visit together?

Mr. HOFFA. Occasionally, yes.

Mr. KENNEDY. And he would come out to see you in Detroit, occasionally?

Mr. HOFFA. I think he was in Detroit once or twice if I remember correctly. That is the best of my recollection.

Mr. KENNEDY. And you were down in Miami several times?

Mr. HOFFA. That wasn't recently that he was in Detroit.

Mr. KENNEDY. When was the last time he was in Detroit?

Mr. HOFFA. It seems to me—it is awful hard to recall. It wasn't this year, I don't believe, and I don't think it was last year. It could have been 1955, and I don't recall offhand. It could have been somewhere around there, to the best I can tell you from my memory.

Mr. KENNEDY. Your recollection is not very good on that, either?

Mr. HOFFA. I would have no reason to remember what date he was there, or what year, or when.

Mr. KENNEDY. What about in Miami? Did you visit in Miami, too?

Mr. HOFFA. I stated here that I saw him in Miami.

Mr. KENNEDY. And your families visited down there together?

Mr. HOFFA. I think we had dinner a couple of times together, or so.

Mr. KENNEDY. And after—

Mr. HOFFA. Wait just a moment, sir. I think that is right. I think that is right.

Mr. KENNEDY. You had a social relationship, is that correct?

Mr. HOFFA. I had a friendly relationship, yes.

Mr. KENNEDY. And this friendly relationship continued after he was indicted for extortion, and indicted for the charges of throwing the acid in Victor Riesel's eyes?

Mr. HOFFA. A lot less than before.

Mr. KENNEDY. But it continued up until at least a few weeks ago?

Mr. HOFFA. I talked to him; yes.

Mr. KENNEDY. Did you have any business relationship with Mr. Dio?

Mr. HOFFA. I can never recall doing any business with Dio, to my recollection, and I don't know what you mean by business. That is why I have to qualify it.

Mr. KENNEDY. What other than socially? Let me put it that way. You tell us every relationship you had.

Mr. HOFFA. I may have had a meeting with him, and I may have. I believe one time I did him a favor of arranging for a company to come out to Chicago to show Link radios. When you talk about business, I say I cannot distinguish what you are talking about by business.

Mr. KENNEDY. What was the Link radio that you arranged for?

Mr. HOFFA. It was a two-way radio company, that installs telephones in trucks and has a terminal where the driver can report back to the dispatcher, and vice versa.

Mr. KENNEDY. What did you do for him in that connection in Detroit?

Mr. HOFFA. Not in Detroit.

Mr. KENNEDY. What did you do for him?

Mr. HOFFA. He asked me, I think this must be 2 or 3 years ago, would I allow a certain individual, and I cannot think of his name, to demonstrate a two-way radio operation that they had at that time, or the company had at that time, being installed in trucks; since it was interesting and part of our industry, I told him I found no objections.

Mr. KENNEDY. What did you do for him?

Mr. HOFFA. I didn't do anything. They came out to Chicago, and set up their temporary operations, on an advertising basis, the employers, and the union listened to the discussion from the individual that came there, and the engineer—

Mr. KENNEDY. He wanted you to set up what again?

Mr. HOFFA. He asked me, would it be all right for an individual, and I can't think of his name, I think it was Link Radio, to demonstrate their product at the meeting in Chicago to our people.

Mr. KENNEDY. This is a teamster meeting?

Mr. HOFFA. Combination Teamster and employer meeting.

Mr. KENNEDY. What date was this, approximately?

Mr. HOFFA. As I say, if I can recall, and it is pretty hard, it was 2 or 3 years, somewhere around there.

Mr. KENNEDY. And he was working for Link at the time, Link Radio?

Mr. HOFFA. Well that now I don't know.

Mr. KENNEDY. The record shows that he was at one time working for Link Radio, in New York, and he wanted you to give him permission to bring the apparatus or have somebody, an employee of that company, bring the apparatus in and show it to the employers and the union.

Mr. HOFFA. The engineer that was selling the two-way radio system brought it out and installed it and they couldn't demonstrate it except by voice how it operated, because you would have to have a high tower and so forth, to our people, who were there at that particular meeting.

Mr. KENNEDY. And the employers were there also?

Mr. HOFFA. I beg your pardon?

Mr. KENNEDY. The employers were there also?

Mr. HOFFA. Some, those who attended the meeting I invited them in, those who wanted to come, and those who didn't, didn't.

Mr. KENNEDY. Where was this meeting held?

Mr. HOFFA. At the Shoreland Hotel, if I remember rightly, and I am quite sure.

Mr. KENNEDY. In Chicago?

Mr. HOFFA. I am quite sure, and I am not too sure.

Mr. KENNEDY. Was that in the teamster suite?

Mr. HOFFA. The reason I say the Shoreland, we generally hold our meetings there. We rotate them generally but generally it is there, and I would say generally we meet there.

Mr. KENNEDY. You keep a suite of rooms there?

Mr. HOFFA. The Central States Drivers Council does, and we use the rooms; yes, sir.

Mr. KENNEDY. Where did he give his demonstration?

Mr. HOFFA. It would be in the hotel.

Mr. KENNEDY. You mean in the suite of rooms?

Mr. HOFFA. No, it would have to be in, I think they call them sample rooms.

Mr. KENNEDY. Did he stay in the teamsters' suite while he was there?

Mr. HOFFA. Well I certainly wouldn't think so.

Mr. KENNEDY. Well, did he?

Mr. HOFFA. Well, to the best of my recollection; no.

Mr. KENNEDY. He did not?

Mr. HOFFA. I don't say he didn't come in the room, but I don't believe he ever slept there.

Mr. KENNEDY. Did he make any sales at that time?

Mr. HOFFA. I don't believe Link ever sold anything in our area.

Mr. KENNEDY. Let me ask you, did you have any business dealings with him?

Mr. HOFFA. I wanted to finish my answer, Mr. Kennedy. They couldn't get, I believe, channels, and I think that you have to have an individual channel for each operation, of some description, and I understood from some way or other they couldn't get a channel or something.

Mr. KENNEDY. That is why they didn't make any sales?

Mr. HOFFA. No, I think they weren't competitive. I think that the large companies could give a better arrangement to the truck companies. I think that is why.

Mr. KENNEDY. Did you have any business dealings with him?

Mr. HOFFA. Well I didn't, personally.

Mr. KENNEDY. Who did?

Mr. HOFFA. Well, as I said, I don't know whether he had it with somebody else who I may know or not and that is why I am hesitant to answer the question.

Mr. KENNEDY. Like who?

Mr. HOFFA. As broad as you want.

Mr. KENNEDY. Who do you have in mind?

Mr. HOFFA. Well, I believe, and again I don't want to be held down to it, and I am trying to recollect, and it is second-hand information, I believe he bought some lots at Sun Valley, and that is why I am hesitant to make the answer the way you would like to have it, of saying yes or no. I have to qualify it to the best of what I can recall, or I can think.

Mr. KENNEDY. He was involved in with Mr. Lower in the Sun Valley project?

Mr. HOFFA. He was not involved. He was like everybody else. He could buy a lot, or whatever he wanted to buy there.

Mr. KENNEDY. This wasn't exclusively for the teamsters, and it was for other people?

Mr. HOFFA. Anybody who wanted to purchase a lot.

Mr. KENNEDY. And he became interested in buying a lot down there?

Mr. HOFFA. Well, I am saying I think he did, and so when you ask me that question, since I have an option for Sun Valley, I have to answer it that way, and I can't tell you exactly one way or the other.

Mr. KENNEDY. Did he get the same discount that the teamsters get in that project?

Mr. HOFFA. I think that the discount was over at the time.

Mr. KENNEDY. Excuse me?

Mr. HOFFA. I think that the discounting was over at that time.

Mr. KENNEDY. Do you know if he got a discount on it?

Mr. HOFFA. Of my own knowledge, right at this time, I couldn't tell you.

Mr. KENNEDY. Did you hear whether he got a discount?

Mr. HOFFA. I don't think it was told whether he did or didn't.

Mr. KENNEDY. Did you have any conversations about the fact, the question of whether he was getting a discount?

Mr. HOFFA. I don't recall any.

Mr. KENNEDY. Are you the one who suggested that he purchase a lot down there?

Mr. HOFFA. No.

Mr. KENNEDY. Did you have conversations with him about it?

Mr. HOFFA. Well, he may have asked me, did I think it was a good arrangement or a good deal, or something like that, that would be the extent of it. I can't recall that.

(At this point Senator Ervin entered the hearing room.)

Mr. KENNEDY. How did he become interested?

Mr. HOFFA. They were soliciting everywhere for lots.

Mr. KENNEDY. Johnny Dio in New York?

Mr. HOFFA. Anybody and everybody.

Mr. KENNEDY. Not everybody, because a lot of people never heard of Sun Valley project.

Mr. HOFFA. They had a TV show, as I told you, and they ran some ads in some papers, and I don't know exactly where, and they sent out post cards, and whatever they could do, like any normal sales operation, they were in it.

Mr. KENNEDY. And did you have discussions with them about it, how nice it would be, all of you down there together?

Mr. HOFFA. I don't believe I had any such discussion, and I couldn't give you an answer on that.

Mr. KENNEDY. You could not?

Mr. HOFFA. No.

Mr. KENNEDY. Did he discuss any of the difficulties that he was having, did he discuss those difficulties with you?

Mr. HOFFA. You mean his indictments?

Mr. KENNEDY. Well, yes, any of the other difficulties he was having, his indictments and the indictments of the people that he brought in, 10 or 15 indictments of his people for extortion?

Mr. HOFFA. I don't remember discussing them with you.

Mr. KENNEDY. He wouldn't come to you with that?

Mr. HOFFA. I don't believe he would.

Mr. KENNEDY. Did you send any of your people there to assist him in helping him in any work he was doing?

Mr. HOFFA. What do you mean by people?

Mr. KENNEDY. Well, any of the teamster officials.

Mr. HOFFA. From my own territory, you mean?

Mr. KENNEDY. Yes.

Mr. HOFFA. Well, not that I recall.

Mr. KENNEDY. Well for instance, he knew Bert Brennan, and I was wondering how he knew him.

Mr. HOFFA. I don't know what you mean by "assist him".

Mr. KENNEDY. Well, help, assist.

Mr. HOFFA. I don't know how, they are not lawyers, and I don't know how they could assist him.

Mr. KENNEDY. I don't either, and I am just asking you the question.

Mr. HOFFA. I would say to the best of my knowledge, and the best I can answer you is I do not believe so.

Mr. KENNEDY. I am not talking just about his legal difficulties, but he was in the union movement, and then he was in the Equitable Research and he was in Link radio, and he was in a number of different business. I am asking you whether you sent any of your people or anyone of any kind to New York to help assist or work with him.

Mr. HOFFA. I don't believe so.

(At this point Senators Mundt and Curtis entered the hearing room.)

Mr. KENNEDY. You are not sure of that either?

Mr. HOFFA. As I say, it is such a broad question, I don't want to come here and tell this committee an absolute yes or no, and then have something construed that it could be one way or the other, and so I have to make a qualifying statement.

Mr. KENNEDY. Let me particularize it. Did you send anybody there to help him with his union work.

Mr. HOFFA. I don't think he was in the union business when he was indicted.

Mr. KENNEDY. Let us exclude the fact of the indictment and let us say any time now. When he was in the union work, did you send anybody from the central conference to the East to assist him, to help him?

Mr. HOFFA. Just a moment.

(The witness conferred with his counsel.)

Mr. HOFFA. I can't recall sending anybody in to assist him; to my recollection I did not. To the best of my recollection.

Mr. KENNEDY. What about after he got out of the union? Did you have anybody come east to help him in any of the work that he was doing after that time?

(The witness conferred with his counsel.)

Mr. HOFFA. Well, to the best of my recollection, the answer would have to be "No."

Mr. KENNEDY. What about him? Did he ever send anybody out there to Detroit to help or assist you in anyway?

(The witness conferred with his counsel.)

Mr. HOFFA. To the best of my recollection, he did not.

Mr. KENNEDY. Do you think it is possible that he might have?

Mr. HOFFA. Well, I cannot construe what you mean—I can't be able to conclude what you may construe to be help. So to the best of my recollection, the answer is "No."

Mr. KENNEDY. Or assist, any aid, help?

Mr. HOFFA. To the best of my recollection, the answer is "No," to the best of my recollection.

Mr. KENNEDY. Did he arrange for anyone to come out there to Detroit to help or assist you in any way?

Mr. HOFFA. Well, to the best of my recollection, no.

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Senator Curtis?

Senator CURTIS. Did he come out or send someone out to contact you or anyone connected with you in reference to any labor matter?

Mr. HOFFA. To the best of my recollection, no.

Senator CURTIS. Is your recollection good or bad on this issue?

Mr. HOFFA. Well, sir, I cannot remember every incident that happens or every detail, so I have to go from memory and do the best I can do. That is what I am attempting to do in the way of assisting you.

Senator CURTIS. That is all, Mr. Chairman.

Mr. KENNEDY. It is clear that if he had sent anybody out there to help or assist you, that it would be something that you would remember, Mr. Hoffa. That would be an important event, if he was sending somebody out there to help and assist you in some project that you were interested in.

Mr. HOFFA. It would not necessarily be a remembrance unless it was something of tremendous importance. As I sit here, I cannot recollect him doing it.

Mr. KENNEDY. Let me pinpoint the time, then, for you.

Mr. HOFFA. All right.

Mr. KENNEDY. It was about 1953? Let's start there.

In 1953, cast your mind back to 1953, did he send anyone or did he arrange for anyone to come to Detroit to assist or help you in any way?

Mr. HOFFA. Well, again I say to the best of my recollection it would be no, and I can't recall it. If you know of some incident, maybe you can refresh my memory.

Mr. KENNEDY. Do you know that you said that 111 times yesterday?

Mr. HOFFA. Well, sir, I am sitting here trying to answer questions from memory, and it is a very difficult thing to do with all of the various readings, phone calls, and conversations that I have with individuals to conduct an organization the size of ours.

I have to qualify my statements because I am sure that this committee does not want me to make a statement that later on would be wrong simply because I forgot something one way or the other.

I am sure you don't want that as a committee.

(At this point, Senator McNamara entered the hearing room.)

Mr. KENNEDY. Mr. Hoffa, you are just not being frank about it. I asked you about something that happened 2 months ago, for instance, about a conversation that you had with Johnny Dio. "I can't recall." I asked you if he went up in the elevator with you. "I can't recall." I asked if he was in the hotel room with you. "I can't recall."

It is just impossible, Mr. Hoffa. You must recall what went on.

Mr. HOFFA. Mr. Kennedy, if you want to ask me what happened last week on certain instances, I cannot possibly recollect what I did last week or the week before, and I doubt if any man in this room can do it, unless you have something that you just do from day to day and it is a uniformity.

Mr. KENNEDY. Mr. Hoffa, I bet anybody in this country can remember what conversation they had with Johnny Dio or whether Johnny Dio was in their room 2 months ago.

Mr. HOFFA. I will venture to say that that is not correct, and I am trying to be honest with this committee.

The CHAIRMAN. The witness takes the position that he cannot remember. That is a matter that is under his oath. There may be those that doubt the frankness and candidness of the witness, but he is taking a position under oath that he cannot remember whether Johnny Dio went with him to his room when he saw him in a hotel, whether he went up in the elevator with him, or whether he later came to his room on an occasion about 2 months ago.

That is the witness' sworn testimony.

All right, proceed. Ask him about the others.

Mr. KENNEDY. Did you discuss with Mr. Johnny Dio about the chartering of any of these locals that we have been discussing these last few months, these last few weeks?

Mr. HOFFA. I discussed the matter with John McNamara. I never recall discussing with Dio.

Mr. KENNEDY. Did you have conversations with Mr. Dio during this period of time?

Mr. HOFFA. I could have had.

Mr. KENNEDY. You mean you never discussed the fact that his people were going to receive charters from the teamsters union?

Mr. HOFFA. I don't recall discussing with Dio whether or not people should come into the teamsters, because they were not with—because Dio was not with that organization at that time.

The CHAIRMAN. Let us place the time on that so the record will be very clear. These charters were issued last November?

Mr. KENNEDY. November of 1955.

The CHAIRMAN. When?

Mr. KENNEDY. November of 1955.

The CHAIRMAN. Issued in November of 1955, and transactions continued on until in 1956?

Mr. KENNEDY. That is correct, Mr. Chairman.

The CHAIRMAN. All right. We have the date established and we have the time. So it is in that area, now, about which you are interrogating the witness.

Let us proceed.

Mr. KENNEDY. Did you discuss this matter with Johnny Dioguardi?

Mr. HOFFA. During some conversation on the phone, I may have, but I cannot recollect and I am sure that the charters were issued out of the international office by the representatives handling the chartering of it, and I do not recall whether or not it was discussed in any conversation, lightly or otherwise. I don't recall.

The CHAIRMAN. Let us again get the record clear. We are talking about seven bogus charters, or charters that were issued under circumstances that indicate that they were for the purpose of committing a fraud.

They were issued to a number of gangsters and hoodlums, a group like that, those seven. Do you want to identify them by number?

Mr. KENNEDY. They are 295, 275, 851, 258, 269, 284 and 362.

The CHAIRMAN. At this time, the Chair will make the chart from which the counsel reads a part of the record. It may be printed in the record, or it may be made an exhibit, whichever way would be proper to get it in there.

I am sorry, it has already been made a part of the record. I wanted to keep the record straight so those who read it can be informed.

Mr. KENNEDY. You think it is possible you did discuss it with Johnny Dio?

Mr. HOFFA. I may have—not the issuance. I don't believe, but I may have discussed some of the workings or mention of it, or something. I don't recollect that. If you can give me some information that you have, it may assist me in refreshing my memory.

Mr. KENNEDY. What sort of information would we have, do you think?

Mr. HOFFA. I don't know, sir. You seem to doubt my word. Maybe you have some sort of information that could assist me.

Mr. KENNEDY. Did you recommend or suggest to Mr. Beck that these charters be issued?

Mr. HOFFA. Well, there is more to it than that, and if I may tell you, it may clear the situation up.

Mr. KENNEDY. Could you answer the question and then make an explanation?

Mr. HOFFA. I made a statement to Mr. Beck at the dedication of our building that I had been told by John McNamara that Joe Curcio had talked to him concerning the issuance or concerning the question of their organization coming into the teamsters union if they would issue charters for the divisions they had set up. Mr. Beck then told me—

Mr. KENNEDY. What do you mean the divisions that had set up? What does that mean?

Mr. HOFFA. I understood in thir amalgamated local, which was 649, and I understand this from McNamara, that they had some sort of divisional arrangement where certain individuals took care of certain companies, and so forth, and, again, it was secondhand information from McNamara. So he made the statement that if they would issue

charters on a divisional basis, they would come into the teamsters union.

I relayed that information to President Beck. President Beck said that the question should be taken up with Einar Mohn, and if they brought in the proper application forms, and if there was sufficient jurisdiction in New York they would consider issuing the charters.

Now, I had previously, in the same day, mentioned the question to Einar Mohn, and Einar Mohn said that I should take the matter up with President Beck to tell him what to do. And that is exactly what I did.

Mr. KENNEDY. So you made a suggestion that these charters be issued?

Mr. HOFFA. I made a report to President Beck on something he had told me to investigate about, and I had investigated through McNamara, the question of whether or not that organization would come into ours, and he told me if those charters were issued they would.

Mr. KENNEDY. What do you mean something he had asked you to investigate?

Mr. HOFFA. President Beck—as I say, it has to go back a little ways. You just can't start off with the issuance of charters, because it didn't start there.

President Beck at board meetings, conference meetings, and in individual meetings, kept insisting that we push our organizational effort, and that where local unions of other internationals had our jurisdiction, that we should attempt to either take those members, organize them away from the other unions, or get those unions to come into our union.

And in particular, when I talked to Tony Doria about bringing his organization, his total organization, into the teamsters union, and setting up an industrial division, Tony Doria said that he believed that they could call a convention and get their people to come into the teamsters union under a divisional basis of industrial divisions.

Mr. KENNEDY. What time was this?

Mr. HOFFA. This had been going on for a matter of a year or so. I had been talking this matter over with Tony Doria almost each time I met him.

Mr. KENNEDY. This is the time that he came out of Milwaukee and transferred to Los Angeles, transferred his headquarters to Los Angeles, at a total cost to the union of about \$450,000, and at the same time he was having conversations with you about transferring into the teamsters union?

Mr. HOFFA. Of taking up with their convention the question of setting up an industrial division in the teamsters union, and placing before them the question of their organization coming into ours, and President Beck said that he did not believe the AFL would allow us to do that because of the conflict, but suggested, rather, that in New York, where there was an amalgamated local and we had our jurisdiction, that we should attempt to get the New York local unions to come into the teamsters union, and asked me to contact——

Mr. KENNEDY. Who?

Mr. HOFFA. Individuals in New York, and I made my own decision who I should contact.

Mr. KENNEDY. John McNamara is a close friend of yours?

Mr. HOFFA. Very close.

Mr. KENNEDY. Close associate of yours?

Mr. HOFFA. For a number of years I have known John McNamara in the union business.

Mr. KENNEDY. And he is a close friend of Johnny Diognardi's?

Mr. HOFFA. I believe he knows him. I don't know.

Mr. KENNEDY. You visited, the three of you, socially, did you not?

Mr. HOFFA. We have had dinner.

Mr. KENNEDY. They must be close to a certain degree, because they are currently under indictment for extortion together.

Did you know that?

Mr. HOFFA. Yes.

Mr. KENNEDY. So you talked to John McNamara?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And what did you say to John McNamara?

Mr. HOFFA. I asked John McNamara to take the question up with the officials of the UAW-AFL, and find out whether or not they were willing to bring their organization into our organization in New York. Then I told you what happened over a period of months. They discussed the question, and at the dedication of our building——

Mr. KENNEDY. This is the type of people that they reported back, that they were dog-food maker, ballpoint pens, an optical company, a printer, crucifix plater, brassworks, mattress maker, screw machine manufacturer, ballbearing company, a toilet seat reconditioner? You wanted these people into the teamsters?

Mr. HOFFA. Well, in the teamsters, we generally organize anybody we can organize.

Mr. KENNEDY. And that is them, is that right?

Mr. HOFFA. It could be anybody, sir.

Mr. KENNEDY. You feel, for instance, that a toilet seat reconditioner is somebody that belongs in the teamsters union?

Mr. HOFFA. We believe that any unorganized worker has an opportunity to join a union and if we can find the unorganized worker and convince him, we would take him into the teamsters.

Mr. KENNEDY. So you had this conversation with John McNamara and he said these individuals wanted to come into the teamsters union?

Mr. HOFFA. No. When we met in Washington for the dedication of the building, I told McNamara that the merger was drawing close, and I wanted a report from him as to whether or not he had been able to get the job done I had asked him to do. McNamara said he had discussed the question knowing he was going to see me in Washington, and would give me a report later in the evening.

However, he said that he was interested in separating his own local union from Railway Express, and for air freight, into two charters.

Senator McNAMARA. Mr. Chairman?

The CHAIRMAN. Senator McNamara.

Senator McNAMARA. I hope by now that we have this McNamara in Washington well identified in the record that he is John McNamara. There may be some confusion with two McNamaras in Washington. People have a habit of quoting from context.

The CHAIRMAN. The Chair will announce that any time the name McNamara is used, unless it is used as that of a United States Senator, it is John McNamara.

Let the record so show.

Senator McNAMARA. Thank you, Mr. Chairman.

The CHAIRMAN. Proceed.

Mr. HOFFA. So the result was that McNamara told me, as I stated, that he wanted to split his organization into two charters, air freight and railway express.

I took the question up with Mohn. I took the question up with Mohn. He informed me I should get ahold of President Beck, which I did, I talked to President Beck about it, placed Mr. Mohn on the phone at the request of Mr. Beck, and Mr. Beck, I am quite sure, even though I didn't hear it I talked to Mohn afterward, told Mohn to issue a charter for air freight, splitting it out of the railway express drivers union, because everybody who knew anything about transportation knew that the air freight was a coming industry, and we needed somebody to concentrate on air freight.

Later on in the evening, McNamara told me that he had talked to Curcio and that they were willing, as I stated before, to come into the teamsters union if they could get charters for the divisions.

Mr. KENNEDY. So what happened? Did he go up to New York and pick up the names and then return to Washington?

Mr. HOFFA. You say did he go to New York?

Mr. KENNEDY. Did he, after this conference on November 4, go up to New York, or was he in New York and did he within a few days bring the names of those applicants for the charters back to Washington?

Mr. HOFFA. Well, that night I left Washington it was my understanding he was going to see Mohn the next day, and they would work out the details.

I could give you what I understand without having it at my knowledge. I wasn't there.

Mr. KENNEDY. Go ahead.

Mr. HOFFA. It is my understanding that McNamara secured the names for the charters, brought them into the international office—

Mr. KENNEDY. From whom?

Mr. HOFFA. I don't know that.

Mr. KENNEDY. You didn't ask? You didn't go that far to find that out?

Mr. HOFFA. Well, I would assume that he got them from—well, I couldn't tell you. I can't tell you. I assume, though, that Curcio had his divisional people in for some nature. I don't know how else he would do it.

But, in any event, they were brought to Washington, and it also is my understanding, I wasn't there, that they sat down and worked out the descriptions of the charters, and then issued the charters. I understand there is some conflict as to when they did issue them or didn't issue them. That I couldn't clear up one way or the other except from what I read or what I hear.

Mr. KENNEDY. And the charters were issued at that time?

Mr. HOFFA. Well, as I say, there is some conflict of exactly when they were, and I don't think that has been resolved yet?

Mr. KENNEDY. Did you examine at all into the type of people that you were attempting to bring into the teamsters union?

Mr. HOFFA. I personally didn't.

Mr. KENNEDY. You knew, of course, from newspaper accounts of the racketeering that had existed in this group of locals under

Johnny Dio, the extortion of Topazio, Joe Cohen, Gasster, George Cohen, and the difficulty Curcio and Davidoff had been in, their backgrounds, their records, George Carmel, Harry Reiss, Arthur Santa Maria, Dominick Santa Maria, Max Chester? These were people that were in difficulty with the AFL-CIO, these were people that charges had been made against for racketeering, these were the people that were making sweetheart contracts. And you were suggesting that they come into the teamsters union?

Mr. HOFFA. Mr. Kennedy, I don't know. You are reading off something you developed out of this hearing.

But I don't think you expect me to sit here and say that I can recall that anybody ever discussed with me such things as you have uncovered, because I think they would have kept it very quiet and secret.

Mr. KENNEDY. Let me tell you what had been made public.

Mr. HOFFA. What had been?

Mr. KENNEDY. Let me tell you.

No. 1, Dio had been indicted and convicted for receiving money from a nonunion shop while a labor union leader. That happened in 1954. He was indicted in 1953 and was convicted in 1954, and went to jail in 1954, during this period of your close friendship.

He hired Benny the Bug Ross. He hired Joe Curcio, a liquor bootlegger. He obtained a charter for Abe Goldberg, who had just been convicted of extortion in Philadelphia. He hired Anthony Topazio and Joe Cohen. Topazio became the No. 2 man and Joe Cohen and he were immediately convicted of extortion.

This is still in 1952.

Hogan had blasted Dio and said his local existed to extort from the public. The AFL had decided to investigate. Another local charter was granted to George Snyder, who was accused of making sweetheart contracts.

In 1953 a charter had been granted to Henry Gasster and George Cohen who had been convicted of extortion. That was in the newspapers.

On February 2, 1953, the AFL executive council ordered local 102's charter revoked after 9 months of investigation, and on charges of racketeering.

April of 1953 was when Dio was indicted.

In November of 1953, a charter had been granted to 227, which was a group of hoodlums headed up by Max Chester, a group that had been kicked out of 496 of the Chemical Workers Union. This is the same group that came over into the teamsters.

In December of 1953, Harry Davidoff, with a long criminal record, was granted a charter.

In March of 1954, Dio was convicted of income-tax evasion.

In 1954, Max Chester and Arthur Santa Maria were indicted for extortion.

In April 1954, Lester Washburn had kicked the local out of the union for being racketeer dominated.

And in 1955, Dio set up a company called Equitable Research, which was involved in selling protection.

All these things were going on. There were articles being written about it during this whole period of time.

You had known that they were kicked out, because you made a statement, according to two newspapers, in May of 1954, that you were glad that the executive board of the UAW had restored the charters in New York City, and that these charters being restored would restore peace and harmony in New York.

These are the people that you were working toward getting into the teamsters union at that time.

Mr. HOFFA. Mr. Kennedy, you are assuming that I knew all those individuals.

Mr. KENNEDY. Well, all these things were in the press. Every other labor union leader knew them. You were active in New York. You were taking responsibility in New York.

Mr. HOFFA. Well, I just wonder why, and I think the people to ask those questions is the president of the then—the then president of the joint council and the vice president in charge of the organization, because if all those things were going on in that area, and the president of the council was also president of the city federation, why they didn't take and investigate and file charges against those individuals in the labor union?

Now, I certainly cannot sit here and assume the responsibility of those individuals, because I made no investigation and simply told President Beck as to what Curcio had said they would do to come into our organization, and the decision was made by President Beck in regard to the question of issuing the charters.

Mr. KENNEDY. Mr. Hoffa, you took the positive action and you were the one that came in from the central conference of teamsters from Michigan and you came into New York and you were the one that suggested that these charters be issued.

You were the one that suggested that these individuals with these records and their association with Johnny Dio, come into the teamsters union. It was at that time that the general organizer Hickey and the joint council were circumvented. You were the one.

Mr. HOFFA. Well, now, as I stated before, I was requested by President Beck—

Mr. KENNEDY. To make an investigation, you told us that already and you did not make an investigation.

Mr. HOFFA. I did not say to make an investigation, Mr. Kennedy, if I may correct the record.

I said President Beck asked me to see whether or not I could find somebody in New York who could get those organizations into—or that organization, into our organization.

Mr. KENNEDY. Why didn't you go to the joint council, or why didn't you go to the general organizer? Again, why didn't you go to the representative of the teamsters in the area, and the exact duplication of what you were trying to do in 1953 when you were trying to establish your own foothold in New York, and you were trying to circumvent Tom Hickey, and you repeated it in 1955?

You were trying to circumvent Tom Hickey and the joint council in order to establish your own organization in New York, that was answerable to Jimmy Hoffa in Detroit, Mich.?

Mr. HOFFA. That is a question?

Mr. KENNEDY. That is a question. Why did you do it?

Mr. HOFFA. Because I was given an assignment by the general president in both instances, to try to work out a situation.

The CHAIRMAN. Mr. Hoffa, are you trying to place the blame for all of this on Dave Beck?

Mr. HOFFA. No, sir; if I had any other responsibility I would accept it, sir.

The CHAIRMAN. You did not have the responsibility to the teamsters union to try to keep it clean, honorable, and keep it from coming into disrepute.

Mr. HOFFA. Yes, sir; I accept that responsibility, and after listening to this committee operate, I can make a positive statement on that question if you care to have me make it.

The CHAIRMAN. Make it positive.

Mr. HOFFA. If I am elected president of this international union, there will be considerable less charters in existence in New York out of what has developed out of these hearings.

The CHAIRMAN. Based on the information the committee has, and your inability to remember to help the committee you will certainly have to make a decided change in Hoffa, if you accomplish that.

Mr. HOFFA. Well, sir, I will be held accountable for what I said here as to the actions I perform.

Mr. KENNEDY. Does that mean that you are intending to lift the charters of these various locals, 362, 284, 269, and 258?

Mr. HOFFA. I would say, Mr. Kennedy, that what should be or I believe would be the cure for the situation would be to go in and have a thorough investigation, not deprive those individuals who are in the union of not having a union, but get what unions or what union—I do not believe there is a necessity for all of the unions now, that we see what we see, what union they should be in.

Mr. KENNEDY. Then you are not kicking them out for information that the committee developed, or you would not be moving against them, and I do not want to use the words "kicking out," but you would not be moving against them for anything the committee developed because you do not know whether you have jurisdiction?

Mr. HOFFA. That is not correct. I am making a statement from what I have seen unfolded here, and what I read in the newspaper, would motivate me taking the action that I am talking about here.

Mr. KENNEDY. Because of the evidence of racketeering, the evidence of collusion, or because of the fact that you question whether a paper products company or glass dealers should be in the teamsters union?

Which is the reason?

Mr. HOFFA. I am not questioning the right of a glassworker to be in the teamsters.

Mr. KENNEDY. What is the reason?

Mr. HOFFA. It is the reason of what has been uncovered here as to the operations of those union individuals.

The CHAIRMAN. Mr. Hoffa, why do the teamsters have to wait until after your election to get some action?

Mr. HOFFA. Well, sir, if you will read our constitution, it is rather a complex situation. We are attempting and we worked late last night trying to correct it. Again, I do not want to place the blame and I won't mention the name, but our principal officer has considerable authority under the constitution, and it is not just as easy as it sounds to pick up a charter.

The CHAIRMAN. You think that situation should be remedied?

Mr. HOFFA. I assure you that I have recommended provisions in our constitutional changes which will correct that situation because in the first instance I have said, and propose, and I think it will be adopted, the charters will clear through either the joint council or the State conference before they are issued, which will place the responsibility on the local people who ought to know the local characters.

Senator IVES. Mr. Chairman, may I ask Mr. Hoffa a question here?

Now, please pay attention to what I am asking you, Mr. Hoffa, because it is very important. It is very far reaching. You just said that you rather anticipated or intimated you will be president of the international.

Mr. HOFFA. From indications around the country, I believe so.

Senator IVES. I will not argue with you about that. The thing that causes us substantial fear in that connection—and I cannot answer for the other members of the committee, but I know I am answering for the feeling of a lot of Americans in this, including myself: What are you going to do after you are elected, if you are elected? You have consorted with all of these bums and these criminals and everything else throughout your career practically. Are you going to continue to do that if you are elected president of the international?

Mr. HOFFA. I intend to conduct myself in keeping with respectability when I become president of the international union because I realize, more so than anybody else, that the people who can put me in office can take me out of office.

Senator IVES. You realize you are going to have a real opportunity to do a lot of good?

Mr. HOFFA. Yes, sir.

Senator IVES. And you are going to have a great opportunity to do a lot of harm?

Mr. HOFFA. Yes, sir.

Senator IVES. What is it going to be—good or bad that you are going to do?

Mr. HOFFA. I recognize both responsibilities; and, in my opinion, my record after I am in office will be the only way I can prove to people of the Legislature, individuals, as to my conduct.

I will not be ashamed of it, I am quite sure.

Senator IVES. That is your record after you have been in office. Your record up to the time you get into office isn't too good. I am telling you that, if you don't recognize it yourself.

Now, are you going to change yourself around, and really do the kind of a job I know you are capable of doing? You have ability, and you have a high I. Q.; I have told you that time and again. You can do a lot of good in this world, if you will. Are you going to do it?

Mr. HOFFA. Senator, I would say in my own particular area I have done as much good for the workingman as any individual in the United States. I will take my contracts that I have negotiated, and my procedures, and compare them with any union in the same area, and I intend to do the same thing on an overall basis if I become president.

Senator IVES. That is all right for your area, and I won't dispute you on that because I don't know anything about it and so I can't. But I know what you have been consorting with in the way of people in

New York City. I know that isn't doing you any good and it isn't doing New York City any good.

Mr. HOFFA. And I recognize that.

Senator IVES. Or the unions any good.

Mr. HOFFA. And I recognize it, sir.

Senator IVES. Are you going to do what I have asked you to do? This is just between you and me.

Mr. HOFFA. I will tell you, Senator, that if I become president of this international I will accept my responsibilities and deal with the individuals in such away that will not bring any harm to the labor movement.

Senator IVES. That isn't the question I raised but it seems to be the best I can get out of you.

Mr. KENNEDY. I just want to point out that—

Mr. HOFFA. You are pointing out, Senator, and I want to ask if you mean, am I going to run a good union?

Senator IVES. That is exactly what I mean.

Mr. HOFFA. The answer is, Absolutely yes.

Senator IVES. And you are going to cease to have anything to do with this element that you have been dealing with. That is the thing I am interested in. You are there as international president, if you get elected, and you are going to have to represent the individual workers; that is your problem. It is not to associate with a lot of bums who haven't any interest in the individual workers at all.

Mr. HOFFA. I recognize that responsibility, and the union will be run for the benefit of the members and will be corrected where it needs correcting.

Senator IVES. I know you are a man of your word in some ways, and you have that reputation, as I pointed out yesterday, and I am going to count on you to do that if you are elected.

Senator McNAMARA. While there is an interruption, I would like to ask the witness a couple of questions.

We have had in and out of these hearings at various times some testimony and in fact we had the gentleman before us, one Nate Shefferman.

Do you know him?

Mr. HOFFA. Yes, I know Nate Shefferman.

Senator McNAMARA. It seems to me he has had considerable influence with the teamsters in some areas of the country. Have you been doing business with him in connection with your work?

Mr. HOFFA. He has a representative in our district, and I don't believe that Shefferman ever negotiated a contract in Detroit, Senator McNamara.

Senator McNAMARA. I have before me a list of 121 clients of his in Detroit and Michigan. I notice on the list some firms where there have been great attempts to organize. Perhaps the most outstanding on this list is the J. L. Hudson Co., in Detroit. I think that you participated in some attempts to organize that.

Mr. HOFFA. Yes, sir, we have filed petitions with the Board and we have organized the employees, and unfortunately, the way the law is drafted today, we are precluded from accepting the warehouse and the drivers that we wanted to represent from the retailing end, and we have failed to organize that company.

Senator McNAMARA. Since he is established as a sort of an industrial labor management company, and he is incidentally a businessman and not a union man, but we are investigating, this committee, improper activities of management and labor together, and it seems appropriate to ask you if you have had any dealings with him during the J. L. Hudson attempt to organize, or represent the workers.

Mr. HOFFA. I believe that his representative, not Mr. Shefferman directly, if I can recall, I don't think Mr. Shefferman was directly involved.

Senator McNAMARA. That is his representative but not with him?

Mr. HOFFA. I don't recall talking to him.

Senator McNAMARA. Who were you dealing with as representative?

Mr. HOFFA. George Cavano.

Senator McNAMARA. You have had no personal connections with Mr. Shefferman?

Mr. HOFFA. Well, I have talked to him.

Senator McNAMARA. Have you done any business with him? We found him in business with certain teamster officials. Were you associated in a business way with him, and I mean in a business way by joint ventures?

(The witness conferred with his counsel.)

Mr. HOFFA. I had no joint ventures with Shefferman.

Senator McNAMARA. You discussed this morning a display in Chicago of some two-way equipment. So the truckdrivers could contact their base, and back and forth, and there was some other person involved besides yourself and Dio in the Chicago meeting. That would not be Shefferman or one of his representatives?

Mr. HOFFA. No, I don't know. There were two of them and I don't know either one of their names, and have forgotten them.

Senator McNAMARA. As far as you know Mr. Shefferman had nothing to do with it?

Mr. HOFFA. I don't believe he did, at least it wasn't brought to my attention.

Senator McNAMARA. Were you aware that he had so many accounts in Detroit and in the Flint area?

Mr. HOFFA. Well, I know——

Senator McNAMARA. And a Chevrolet dealership, and Bond Clothes, and a lot of accounts, and the Flint Fireproofing Warehouse people, and these are people that you do business with generally as far as trucking is concerned.

Mr. HOFFA. I would say that almost everywhere we organized, whether they represented them or not, they always seemed to become acquainted with the person we organized in many instances, and in many types of industries.

Senator McNAMARA. You mean Shefferman?

Mr. HOFFA. His concern.

Senator McNAMARA. As I look over this list, it seems to me that they are predominantly people who are not organized. I wondered if there was any indication here that perhaps because Shefferman was their representative, that through some of his methods the purpose of organizing was defeated or attempts to organize.

Mr. HOFFA. I would say that they know every trick in the book to keep you from organizing their people, and they use them.

Senator McNAMARA. You apparently don't think too much of Mr. Shefferman as far as organized labor is concerned.

Mr. HOFFA. We have consistently argued with them.

Senator McNAMARA. When Mr. Shefferman appeared before this committee in March, he testified that he had made tremendous purchases for people, largely in the teamsters union, and in one instance amounting to about \$85,000, paid out of Shefferman's funds. Has he performed any similar services for you?

Mr. HOFFA. He hasn't performed any services for me to any extent. He may have sent me a Christmas card, or a small Christmas gift, but nothing of any size of any description.

Senator McNAMARA. Did you know that the Service Parking Co. is one of the accounts he has in the Detroit area? That is Service Parking, and they operate most of the parking lots in the downtown Detroit area.

Mr. HOFFA. Yes, sir.

Senator McNAMARA. I think there have been 5 or 6 attempts made to organize those people.

Did you run into Shefferman in that?

Mr. HOFFA. There was a tremendous strike, and a strike was lost, and they represented them.

Senator McNAMARA. They represented them?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. It seems that there is the record of Shefferman, wherever he enters into the case, the people don't get organized.

Mr. HOFFA. No; not in our particular instance. We have won almost every right with them.

Senator McNAMARA. How about the Service Parking lots? Have you organized them?

Mr. HOFFA. I believe we have some of their garages, connected with the establishments. But their open-air parking lots, I don't think we have been able to get.

Senator McNAMARA. We keep running into this character all over the country and it is a very interesting role he plays, and you probably read the story about his operation in one of the leading magazines, Reader's Digest: wasn't it?

Mr. HOFFA. Yes, sir.

Senator McNAMARA. Certainly that indicates you were dealing with a very shady character that represented management. All of the shady characters I want to point out are not on the side of organized labor.

Thank you.

The CHAIRMAN. They are not, but when they get together, from both, the public suffers.

Senator MUNDT. Following through a little bit on the line of questioning that Senator McNamara was taking, testimony before this committee, Mr. Hoffa, is to the effect that among his other activities, Shefferman runs a sort of a migratory discount house. Have you ever patronized his discount house? I am not talking about what he gave you, but he has a habit of getting big discounts for labor leaders, or perhaps management, who want to buy furniture or outboard motors or television sets and and things of that kind.

Have you ever patronized that discount house?

Mr. HOFFA. I don't believe, sir, that I have. If I did, and I have to qualify it, it would be very small. I don't believe I did, though.

Senator MUNDT. You probably would remember if you had.

Mr. HOFFA. It wouldn't be of any size, so therefore I wouldn't remember it, and I can't recall ever doing it. But I don't want to over a period of years forget something, and that is why I have to qualify it.

Senator MUNDT. To the best of your recollection, you never have?

Mr. HOFFA. I don't believe so, to the best of my knowledge.

Senator MUNDT. You were telling us you worked late last night after a rather busy day.

Mr. HOFFA. That is right.

Senator MUNDT. On your constitutional problems, for the forthcoming convention?

Mr. HOFFA. That is right.

Senator MUNDT. If I understood you correctly, one of your recommendations for a constitutional change was that henceforth no local charters in the teamsters union would be granted unless they had been approved by either the joint council in charge, or the State council in charge, or the local authority of the teamsters union, because you said they would know better about the character of the people getting the charter, and about the needs I suppose and jurisdictional problems and so on; is that right?

Mr. HOFFA. It isn't quite that broad. The charter must be submitted to the joint council, or to the State conference, and I believe or to the area conference if you don't have either a State or a joint council. They then make a recommendation. The recommendation could be overruled by the executive board, but they would have to have a hearing with the individuals first concerned.

Senator MUNDT. At the hearing both the people applying for the charter and the local authorities of the teamsters board that had opposed the charter would be heard; is that right?

Mr. HOFFA. Yes, sir; that is our proposal. It hasn't been passed by the convention yet.

Senator MUNDT. The difference as I understand it between that and the situation under which you are supposed to operate now, in the New York area, would be this hearing device.

Under the Mohn agreement of 1954, it was then agreed that the local council would have to make a recommendation; was it not?

Mr. HOFFA. No, sir; under our present constitution.

Senator MUNDT. I am talking about the agreement between Einar Mohn and the local people, and not about what is in your constitution.

Mr. HOFFA. There was some kind of an agreement and I don't know whether it was written or oral.

Senator MUNDT. I don't either, but there was an understanding, that both sides confirmed, that there would be no charters issued in New York without the prior approval either of your local vice president and organizer, or of your joint council, I have forgotten which. That agreement was violated.

Mr. HOFFA. I think it was the joint council.

Senator MUNDT. I think it was, too. That agreement was violated. No hearing procedure was put in motion insofar as the breaking of that agreement was concerned; am I right about that?

Mr. HOFFA. You mean after it was made?

Senator MUNDT. Yes after it was made, the so-called phony unions were brought in, and they were brought in in violation of the agreement over the bitter protest of President Lacey, and Vice President Hickey.

Mr. HOFFA. I believe that is correct.

Senator MUNDT. So that the agreement, at least without its constitutional reinforcement, and the agreement without the hearing procedure that you seek to establish, the agreement being violated has brought about the kettle of fish that has necessitated these hearings, and has taken you away from your campaign activities for at least 3 days.

Mr. HOFFA. Well, sir, I want to say this to you: To the best of my knowledge, when I discussed this question concerning their willingness to come into the teamsters, our international union I believe unconsciously, and I don't believe anybody did it deliberately, but unconsciously failed to notify the joint council of the anticipated charters. I believe that is what caused the problem.

Senator MUNDT. At all events you do recognize that that is not a good wholesome procedure to follow. That is, to have your central office upset the recommendations of your local representatives, unless there can be a hearing procedure established so that you can adjudicate the facts.

Mr. HOFFA. That is what we are recommending and that is what we believe is proper.

Senator MUNDT. Those recommendations that you worked on last night stem in part out of the difficulties that have ensued from this New York City situation.

Mr. HOFFA. No; I have been on the constitutional committee three different times, I believe, and we have discussed this question, and I personally discussed it because of being head of a joint council. I have discussed this question of charters, and it was always left as it was.

But now, more so than ever, after this situation has been developed, more so than ever it proves up the necessity of having that in the constitution.

Senator MUNDT. Well, is that not just a long way of saying "Yes" to the question that I asked you?

Mr. HOFFA. Well, yes, but I want to make the explanation, that we didn't just try this time. We tried other times.

Senator MUNDT. In other words, this is a new element that is going to come in to take you off of dead center, in your constitutional change?

Mr. HOFFA. Yes, I believe you are right.

Senator MUNDT. You said this morning that you believed that part of the function of the teamsters was to organize the unorganized, whether they happen to be truckers, or crucifix gilders, or wherever they happen to work, is that right?

Mr. HOFFA. That is right, sir.

Senator MUNDT. Now, in that program, and I am not quarreling with that program, in that program do you think that a labor leader who is active as a labor leader qualifies as a good labor leader if at the same time he is the proprietor of a shop that he refuses to hire union labor?

Mr. HOFFA. I would say "No."

Senator MUNDT. Do you not think that labor leaders should practice what you preach to employers?

Mr. HOFFA. More so.

Senator MUNDT. I would think so, more so.

And you are aware, of course, that among the other charges against Johnny Dioguardi is the admitted fact that while he was a president of union 102 he was not only the owner for awhile of that shop that refused to hire union labor, but when he sold the shop he took an \$11,000 payment, or call it a bribe, or call it an consideration, or call it extortion, what you will, but he took an \$11,000 payment in order to insure the new employer that he wouldn't have to employ union labor.

Do you think that is a reprehensible practice on his part?

Mr. HOFFA. Well, I think it is very bad.

Senator MUNDT. I think so, too. It is not a question of fact, because he did what so many people do who chisel in some direction. He forgot to report it on his Federal income tax. Certainly you do not want to surround yourself as the forthcoming president, seeing that your campaign is progressing, as I suggested to you yesterday, talking about you as the president or a forthcoming president, of the teamsters, with leaders who do not speak for labor but who speak for others.

Mr. HOFFA. I agree with your sentiments.

Senator MUNDT. You can understand that the Members of Congress are a little bit concerned about the kind of people with whom you associate yourselves since the teamsters' temple is so close to us. It is part of the environment of the Hill. We do not want to have that place inhabited by a lot of hoodlums, a lot of crooks, a lot of thugs. We want responsible, respectable men.

I was glad to have you assure Senator Ives in this little personal agreement that you had just between yourselves in secret, shared only by those who listen to the television and who hear the radio and who read it in the press, that when you get in there you are going to do your best to see to it that the kind of people that you surround yourself with are good citizens. And I hope you will answer that you are going to surround yourself only with loyal citizens, who are good American patriots.

Mr. HOFFA. I don't believe, even though I may have had some failings in regard to one element, I don't have it in the other element.

Senator MUNDT. I have never heard any accusations made against you, Mr. Hoffa, that you were friendly with Communists. You are right.

Senator CURTIS. Mr. Chairman?

The CHAIRMAN. Senator Curtis.

Senator CURTIS. Mr. Hoffa, I am going to watch with interest for this promised millennium. I want to ask you a question in regard to it.

In your colloquy with Senator Ives and Senator Mundt, were you confining your hopes of reform to your promised reforms to the international union only, or does it involve changes that would call for reforms in other units of the teamsters union, such as the locals, the State conferences, the area conferences, and the joint councils?

Mr. HOFFA. Senator, when I talk international, I believe the international covers all of the phases you are talking about. However, I want to make sure that we understand each other. I don't want Senator Ives to say that I didn't keep my word.

Senator IVES. May I butt in there? Then we have to get going, because we will not finish you up today if we do not. But I want to

make one thing clear in what I said. I am not exonerating you in any way, shape, or manner. What you have to do is prove yourself.

Mr. HOFFA. Senator, I want to be sure that we understand. Each case stands on its own.

Senator Ives. Right.

The CHAIRMAN. All right. Let us proceed.

Senator CURTIS. Were you through answering the question?

Mr. HOFFA. I answered your question, sir, and at the end by saying when you made the broad statement that it wouldn't be any blanket disruption of our organization, but each case would be looked upon on its own.

Senator CURTIS. When you made your statement about the program that you would inaugurate, you were speaking of the entire teamsters union and not confining it to the international?

Mr. HOFFA. That is right, sir.

Senator CURTIS. In bringing that about, will certain presidents, employees, officers and organizers and others in the teamsters union lose their jobs?

Mr. HOFFA. Again I say it would be an individual basis, based upon what they did, who they are, and rather than taking a blanket sweep. You would have to take each case individually to determine the merits or demerits of the particular case.

Senator CURTIS. All right, not referring to a blanket sweep, but on the basis of the knowledge and information you have now, will there be any individuals removed from the teamsters union?

Mr. HOFFA. Yes.

Senator CURTIS. Will you name them?

Mr. HOFFA. I cannot at this moment, because I don't know the individuals, except looking at those charts and listening to this situation. I would have to have investigations made of them, as rapidly as possible, and hearings, before I could move. I am not trying to say it would take an indefinite period of time, but it would be in all good conscience to those individuals to give them an opportunity to appear.

Senator CURTIS. That would be after the hearing?

Mr. HOFFA. Yes. It has to be, naturally, in our constitution.

Senator CURTIS. On the basis of the inside knowledge that you have had all of these years in the teamsters union, you would still have to have a hearing?

Mr. HOFFA. Under the constitution I would have to have, or else they could go to court or to the board against me.

Senator CURTIS. That is all.

Senator MUXDT. I have one other question in that connection. You have told this committee, and we applauded you for it, that insofar as you personally were concerned in connection with your various economic enterprises, you expected to comply with the ethical standards code of the AFL-CIO.

Mr. HOFFA. That is correct.

Senator MUXDT. Now I would like to take you one step further.

If my understanding is correct, at the Miami meeting the sole dissenting votes against the adoption of that code were cast by the teamsters union. You were not at that time the general president, so you did not determine the policy. I wonder if you can give this

committee and the country some assurance that if you are elected the international president of the teamsters, you will either go along with that code, which I think the country recognizes as a very commendable step in the right direction, or, if not, adopt for yourself, in your own organization, a code which incorporates in the main those same features.

Mr. HOFFA. Senator, in our caucus hearing, I was the spokesman, and I don't shirk my responsibility in the executive board or here. I do not agree, and I am very sorry and respectful when I say it to you, I do not agree that I have the right, nor will I recommend to anybody, that they do not have all of the constitutional privileges that American citizens may have.

That will not preclude us from holding hearings after they have exercised their constitutional rights. But they have certain constitutional rights, and I would be the last person, and I will never vote in favor of attempting to take away one of those constitutional rights and deprive a man of his employment because he had a constitutional privilege which he exercised without giving him a hearing to determine why.

(At this point, Senator Goldwater withdrew from the hearing room.)

Senator MUNDT. Let us examine that a little. As I understood this ethical practices code, it does not deny the right of an American citizen to enjoy all of his rights, his constitutional rights. It lets him do that. But it says to him, "You also have some responsibility to the union. You cannot exercise your constitutional rights before a grand jury, or a congressional committee, or a judicial proceeding, if in so doing you bring disrepute on the labor union and thereby do injury to the millions of men who belong to the union. You cannot exercise your personal rights to the detriment of the rights of the working men and women of this country."

That is a little different question, a little different situation.

Mr. HOFFA. I believe that the AFL-CIO itself is taking a look at its original position on that question.

Senator MUNDT. And in its look at that question so far it does not say that a man cannot or should not be a labor-union member and take the fifth amendment, but it does say if he takes the fifth amendment and in so doing brings disrepute upon his union, he cannot be an officer of the union, which is something different.

Mr. HOFFA. Well, sir, that is where we differ. I say that a man has a right to exercise his constitutional rights and have a trial by jury, if he so desires it.

Senator MUNDT. Of course he does. But does he have a right to bring disrepute upon the members whose dues make his position possible and thereby jeopardize their livelihood, jeopardize their reputation, and weaken their position in society? Do labor-union leaders have rights apart from the rights of the men and women who comprise their union and make their jobs possible?

Mr. HOFFA. No, sir. I want to give them the same rights. That is why I don't want to deprive them of the Constitution.

Senator MUNDT. You are not depriving them of their constitutional rights, if you say as the ethical practices code does, "if you elect to exercise those rights, and in so doing you injure the union, you can no longer represent it in an official capacity."

Mr. HOFFA. You may not injure the union by taking the fifth amendment because you may, when you go to trial, be found completely innocent.

Senator MUNDT. It certainly has not done any union I know of any good, for any of its officers to come here and take the fifth amendment.

Mr. HOFFA. I don't agree or I wouldn't be here today. It would have been much easier for me to come in here and use my constitutional right, recognizing there is television here and everybody can hear what I am saying. By the same token, I do not want to deprive anyone of their constitutional right that they are given as American citizens.

Senator MUNDT. How far would you carry that? Let us say that one of the locals over which you have jurisdiction has an officer who is accused by evidence which is available to public enforcement agencies of being a Communist. He is brought in and given a hearing.

They say, "Are you or have you ever been a member of the Communist Party," and he says, "I refuse to answer," and takes the fifth amendment.

Do you think he should continue under those circumstances to be the head of the union?

Mr. HOFFA. I don't say that, sir. I say we should hold a hearing to determine why he took the fifth amendment and act accordingly.

Senator MUNDT. Would it not seem appropriate that at least until the hearing is held, at least until such time as he is vindicated by your own investigation, that the presumption should be that he should no longer function as a labor union leader after taking the fifth amendment?

Would you go that far?

Mr. HOFFA. In certain instances, yes.

Senator MUNDT. You would go that far?

Mr. HOFFA. In certain instances, yes.

The CHAIRMAN. Senator Ervin?

Senator ERVIN. Mr. Hoffa, I ask you whether you agree with me in this opinion: That every union officer ought to conduct the affairs of the union coming within his jurisdiction in such a manner that he will not have to invoke the fifth amendment when he is called on to give an account of his conduct as a union officer.

Mr. HOFFA. Well, I can't speak for individuals. I would hope that would happen, but I can't speak for everybody concerned.

Senator ERVIN. I am asking you, though, whether you agree in the opinion that a union officer ought to conduct his conduct of union affairs in such a way that he will not feel obligated or justified in invoking the fifth amendment when he is called on to give an account of his handling of union affairs, as an officer?

Mr. HOFFA. I could not quarrel with that.

(At this point, Senator Curtis withdrew from the hearing room.)

The CHAIRMAN. The Chair wishes to make this observation for the information of the committee members and others.

We had hoped to conclude the interrogation of this witness today and, in fact, to conclude this series of hearings.

The staff has considerably more material and matters here to interrogate the witness about. The Senators have a perfect right to question and that right is going to be recognized by the Chair. Any time that a Senator wishes to address the Chair he will be recognized.

I am simply mentioning this so that you may all know what the situation is. If it means a Saturday session or coming back next week, I do not think anyone will be happy with either. But that is where we are leading to. Let us try to get right down to the point here. When we have these interruptions, it makes it necessary for the chief counsel to go back and repeat some things to get it all back on the track again and, therefore, delays occur.

Let us, if we can, get right down to it and ride through to a finish this afternoon.

Proceed, Mr. Kennedy.

MR. KENNEDY. Mr. Hoffa, are you going to make an investigation of Mr. John McNamara? You said in answer to Senator——

MR. HOFFA. Yes, we will.

MR. KENNEDY. In answer to Senator Ives' question, that you will make an investigation of some of these people involved. As I understand, you were the one that suggested the charters, but John McNamara went up and got the names.

He is a great friend of yours. Are you going to make an investigation of John McNamara?

MR. HOFFA. There will be.

MR. KENNEDY. There will be an investigation of him?

MR. HOFFA. There will be.

MR. KENNEDY. Because of what has been revealed here?

MR. HOFFA. That is correct.

MR. KENNEDY. And the fact that he got the names of some of these hoodlums and gangsters on these charters, are you going to make an investigation of his use of those names?

MR. HOFFA. On the overall investigation.

MR. KENNEDY. Because you are shocked and disturbed about him using these types of people on these charters, is that right?

MR. HOFFA. Well, I am shocked and disturbed, very much as to what those individuals did, and how they got there, and insofar as the investigation is concerned, it will take care of the situation I believe, to the most critical that is here.

MR. KENNEDY. If the facts are true, as they have been developed before this committee, will you request disciplinary action against John McNamara?

(The witness conferred with his counsel.)

MR. HOFFA. Just a moment. Repeat the question, please. I will answer it.

MR. KENNEDY. If the facts are true regarding John McNamara that have been developed before this committee, will you take disciplinary action against him, your friend?

MR. HOFFA. After a hearing, if it is developed that the facts the way they are developed here, friendship or not, we will take the proper action.

MR. KENNEDY. Does that mean the proper disciplinary action?

MR. HOFFA. Proper disciplinary action.

MR. KENNEDY. You said that these people wanted to get into the teamsters union or wanted someplace to go from the UAW, AFL. For instance, in local charter 651, the officers of that union, for instance Nat Gordon, was an employee of a liquor store. He had nothing to do with the UAW, AFL. Can you explain that to the committee?

MR. HOFFA. I can't explain it.

Mr. KENNEDY. Why was he listed as a president of that local 651?

Mr. HOFFA. I cannot explain it.

Mr. KENNEDY. You are not taking any responsibility for any of these people?

Mr. HOFFA. I cannot assume the responsibility for the officers that they placed at the head of the organization.

(At this point, Senators McClellan and McNamara withdrew from the hearing room.)

Mr. KENNEDY. The other thing, Mr. Hoffa, that you said, was that these individuals from the UAW, AFL, wanted to come over into the teamsters union. Why did they not come over into the teamsters union?

Mr. HOFFA. I said McNamara reported that to me.

Mr. KENNEDY. You are putting all this on Mr. McNamara; is that right?

Mr. HOFFA. I am making a statement as to what happened between McNamara and I.

Mr. KENNEDY. Then Mr. McNamara reported falsely to you because none of these individuals came over, is that right?

Mr. HOFFA. I don't know whether he reported falsely or not, because I don't know if he knows exactly what happened.

Mr. KENNEDY. Well, these charters—let's find out what you did. When you found out that there was all of this furor about it in the early part of 1956, what action did you take to find out whether these locals had members, whether these locals were gangster run, whether there were racketeers in charge of them?

What did you do, then, Mr. Hoffa?

Mr. HOFFA. Mr. Kennedy, it was not my responsibility in the New York area to do anything and the general president was enjoined by Martin Lacey from carrying out the vote of the regular delegates to the joint council and, also, the general president, I believe at that time, put a director, set up an office in New York and put a director of organization in there.

Mr. KENNEDY. Mr. Hoffa, you had direct responsibility. You were the one that suggested the locals. There was a cry that went up that they were fraudulently chartered. What investigation or study did you make? Did you talk to Johnny Dio about them? Did you talk to John McNamara? Did you make any investigation at all?

Mr. HOFFA. I made no investigation of the situation concerning these charters that I can recall.

Mr. KENNEDY. Mr. Hoffa, that is why it is so amazing to hear you come up here and tell this committee that now you are going to look into these people. Now you have suddenly seen the light. That there is a prospect of you being made president of the International Brotherhood of Teamsters and you are going to start to make an investigation of all of these people.

You knew this was going on for all of this period of time. Why didn't you make an investigation before? Why did you have to wait until you came before this committee to say it?

Mr. HOFFA. Mr. Kennedy, I didn't make the statement just in front of this committee.

Mr. KENNEDY. Well, why have you not made an investigation?

Mr. HOFFA. Because I am not general president. Unless I have an assignment in that area, I remain in the middle western area in union activities.

Mr. KENNEDY. How were you assigned to that area? You were not assigned to that area as far as John McNamara was concerned. You and John McNamara, a personal friend in that area, got together on the chartering of these locals. You were not assigned there at that time.

Mr. HOFFA. I think there is again, a misconstruction of what I said. I said that President Beck asked me to see whether or not we could get those local unions into the teamsters. I contacted McNamara and asked him to see what he could do.

Mr. KENNEDY. Why didn't you contact Mr. Tom Hickey? If the reason that you were trying to get these locals into the union was not a power play on your part, as the situation existed in 1953 in the taxicabs, why did you not go through the regular channels? Why did you not go to the joint council or the international organizer, Tom Hickey?

(At this point, Senator McClellan entered the hearing room.)

Mr. HOFFA. I do not believe that either the joint council or Hickey would have been able to complete bringing those locals in, because they had failed up to date. They had the authority to do it. They had the authority to organize the entire county or entire town.

That is their responsibility.

Mr. KENNEDY. Why didn't you go to them and find out about these people? Why did you wait until August of 1957 to suddenly have the light dawn upon you?

Mr. HOFFA. I am not waiting in 1957. They could have filed charges anytime they wanted to file them. I am at every executive board with Hickey and I never heard Hickey raise a question in regard to filing charges against these individuals.

Mr. KENNEDY. They could not even get the charters. They requested the charters. You were the one that suggested these people come into the teamsters. You certainly had the responsibility for it.

Mr. HOFFA. I don't accept the responsibility at all. I was on an assignment.

Mr. KENNEDY. Were you trying to get Mickey Finn of the UAW-CIO into the teamsters at that time?

Mr. HOFFA. I believe I talked to him about it. We were not successful.

Mr. KENNEDY. Did Mickey Finn get a teamsters charter?

Mr. HOFFA. Well, to my recollection he never did get a charter, and I don't think he has one now. At least, I don't recall it.

Mr. KENNEDY. What conversations did you have with Mickey Finn about getting him a charter?

Mr. HOFFA. Well, I tried to convince him to come into our organization because in my opinion he has our jurisdiction, and because of his contractual relationship he had problems of his own. I don't from recollection, recall that he ever got a charter.

Mr. KENNEDY. Didn't you talk to Mr. Sam Goldstein about that?

Mr. HOFFA. Who is he? Is he a lawyer?

Mr. KENNEDY. No. He is associated with Tony "Ducks" Corallo. Did you talk with him a number of different times?

Mr. HOFFA. To the best that I can recall. I don't ever remember meeting Goldstein unless it was at an eastern conference meeting or at a labor gathering. But to have a conversation, I don't recall having one with him.

Mr. KENNEDY. Did you ever intervene, or did you ever request at the international, that they issue a charter to Mickey Finn?

Mr. HOFFA. To the best of my recollection, no.

Mr. KENNEDY. You cannot remember that, either?

Mr. HOFFA. Well, because I don't—I don't believe he ever got one. To my recollection, I don't think I ever requested it.

Mr. KENNEDY. Well, he did get one.

Mr. HOFFA. He did? What number?

Mr. KENNEDY. He did receive a charter, 1259.

Mr. HOFFA. From the international direct?

Mr. KENNEDY. Yes, where all charters come from.

Mr. HOFFA. Who signed the application? Did you say 1259?

Mr. KENNEDY. That is correct.

Mr. HOFFA. 1259?

Mr. KENNEDY. 1259.

Mr. HOFFA. I don't think we have a local 1259, Mr. Kennedy.

Mr. KENNEDY. You don't anymore. He received a charter, however.

Mr. HOFFA. No, I mean I don't think we go that high in numbers. There seems to be something wrong with that.

Mr. KENNEDY. I will tell you the explanation. His local in the UAW-CIO was 259, and he received from the teamsters 1259. My point is on this, Mr. Hoffa, that you were intervening in New York, first on this UAW-AFL, bringing those people into the teamsters union just prior to the election, that you also intervened and tried to get strength through Mickey Finn and his group, bringing their 4,000 members into the teamsters union.

At the same period of time, weren't you having conferences with the ILA, which had been kicked out of the AFL for being gangster-ridden? Weren't you having conferences with them toward loaning them \$490,000?

Mr. HOFFA. Yes, we were.

Mr. KENNEDY. And weren't you participating in those conferences?

Mr. HOFFA. Yes, I was.

Mr. KENNEDY. Then all of this period of time, Mr. Hoffa, you take the action toward getting this group, these people, into the teamsters union, and then when something arises about it, some question arises, you say, "That is not me, that is John McNamara. It is his responsibility. It is not me, Committee Members, it is Mr. John McNamara. It is Mr. Dave Beck."

Mr. HOFFA. Well, now, I don't believe that I said that. I said that I contacted McNamara, and I said that it was after President Beck had requested me to see whether or not I could get those local unions into our teamster organization.

Mr. KENNEDY. All right. Then they got their charters through fraud. There were people's names used that were fraudulent. It was not the UAW-AFL at all in local 651. It was just a tavern employee and these people came in and received charters.

When this information became public, you made no investigation or study of it at all, is that correct?

Mr. HOFFA. It is my understanding that the court enjoined the international union from interfering in the affairs of the joint council in New York for almost a period of a year.

Mr. KENNEDY. I don't think that the court order said that they could not lift these charters. The court order said that they should not intervene as far as ordering the joint council to seat these people.

Mr. HOFFA. Well, I don't know. They spoke with the injunction, so I can't dispute that with you one way or the other.

Mr. KENNEDY. Did you know anything about Mickey Finn's background?

Mr. HOFFA. No.

Mr. KENNEDY. You did not? You know nothing about him?

Mr. HOFFA. Well, I don't recall ever discussing with Mickey Finn his background. I can't recall that.

Mr. KENNEDY. You did not know he had been a member of the Communist Party?

Mr. HOFFA. Well, if I did, we would have had a very short discussion. So I cannot recall ever that subject coming to my mind. If that is so, he will have to remain where he is at now, in the UAW.

Mr. KENNEDY. You are not going to take him in either?

Mr. HOFFA. There will be no Communists in our organization.

Mr. KENNEDY. Or ex-Communists? I am not saying he is an ex-Communist.

Mr. HOFFA. Well, an ex-Communist, so far as I am concerned—all right, we won't.

Mr. KENNEDY. You were talking to Senator Ives that you are going to investigate in your area. What are you going to do about the group that you have working with you out there and that you are associated with?

Mr. HOFFA. What group?

Mr. KENNEDY. For instance, Barney Baker, who was thrown off the docks.

Mr. HOFFA. Wait a minute. He is not a Communist.

(At this point, Senator Kennedy entered the hearing room.)

Mr. KENNEDY. I am not talking about communists. I am talking about racketeers.

Mr. HOFFA. He will get the same treatment as the rest of them.

Mr. KENNEDY. You will have an investigation of Barney Baker? What about Kavner? There are a number of different places that Barney Baker and Kavner have traveled that there has been violence. Are you going to investigate all of those?

Mr. HOFFA. I don't believe that Kavner has been convicted. I have tried to find out since this hearing started and I can't find anything about him being convicted of anything.

Mr. KENNEDY. We are not talking about him being convicted. We are talking about all of the violence that has occurred in areas where he has been.

Mr. HOFFA. I certainly would not lay to Dick Kavner's door any violence or any particular incident without somebody from a legal investigative staff stating that he was responsible.

Mr. KENNEDY. Did you know that he was in areas where there was a great deal of violence, and Mr. Barney Baker the same thing, throughout the Midwest?

Mr. HOFFA. There can be violence in many areas.

Mr. KENNEDY. Did you look into it and investigate to find out if he was responsible for it?

Mr. HOFFA. I don't know—certainly the officials of the city must have looked into it more closely than I could have looked into it.

Mr. KENNEDY. Let me read you the records. I will not name the individuals, but let me read the records of some of the business agents you have working for you.

Mr. HOFFA. You are talking about the Midwest?

Mr. KENNEDY. Yes.

Mr. HOFFA. All right.

Mr. KENNEDY. December 1928, the Detroit area, convicted of armed robbery, sent to Jackson State Prison. I will give you the names afterwards. Sent to Jackson State Prison, Jackson, Mich.

This is other than the ones I have given you already. Twenty to 40 years. Paroled on September 27, 1939. Arrested for robbery in 1944, assault and battery in 1949.

Mr. HOFFA. How many of those—

Mr. KENNEDY. What?

Mr. HOFFA. How many of those were convictions. There was one conviction.

Mr. KENNEDY. Twenty to 40 years and paroled and he has been arrested for robbery in 1944, and assault and battery in 1949.

Number two: A gentleman that has been an organizer for one of your locals convicted of armed robbery in Detroit, Mich., in 1942, sentenced to Jackson State Prison, 3 to 20 years, paroled in February 1945.

Another one: Robbery—

Senator MUNDT. We do not have the name, but this is a pretty specific case. Is this the kind of people that you propose to employ as business agents as international president?

Mr. KENNEDY. They are employed at the present time.

Senator MUNDT. You have them now? You will have more responsibility if you are elected. Is this the kind of people we are talking about that you will surround yourself with, that we will have prowling around the Capital if they come in and spend the night at the labor tabernacle?

We will have to have some more Capital policemen if this is the kind of people.

Mr. HOFFA. Each individual case must be checked into, and if a man has rehabilitated himself and it was a long period of time back, and has did nothing in the labor movement, I would want to check whether or not he should be in or not without making a flat statement he should not be in.

Senator MUNDT. All right. I am not asking you that, but if you have a fellow that has been arrested, has been in the penitentiary for 20 years, and when he comes out, you try to rehabilitate him and give him a job, and he goes back in the clink again, how many chances are you going to give him?

Mr. HOFFA. Well, I think you have to take the case, and I would very definitely stand on the record and the decisions I made, based upon the facts.

(Members of the select committee present at this point are Senators McClellan, Ives, Ervin, Kennedy, and Mundt.)

Mr. KENNEDY. We have another man, also a business agent: 1932, armed robbery, 5 to 15 years. This is again, Mr. Hoffa, not an isolated incident. I think you can hire somebody who got in difficulty with the law and then bring them in, but it is the same thing as New York. You say you will suddenly turn your back on the people in New York. You have had the same situation in every area that you have ever gone into.

Mr. HOFFA. I don't turn my back on anybody.

Mr. KENNEDY. Another case: In 1932, armed robbery, 5 to 15 years in Detroit House of Correction, paroled in 1935. 1939, armed robbery, 7½ to 15 years, Jackson State Prison, parole in 1951. Armed robbery, Detroit, 7 to 12 years.

The CHAIRMAN. Those people are in his employ now?

Mr. KENNEDY. That is correct.

Mr. HOFFA. You say they are in mine?

The CHAIRMAN. Under your control, yes, because you could fire them in a minute if you wanted to.

Mr. HOFFA. It is just possible, Senator McClellan, that something is being unveiled here that I don't know about.

Mr. KENNEDY. Here is another one: 1947, another business agent, 5 years for sodomy.

The CHAIRMAN. I hope we are giving you a lot of information.

Mr. HOFFA. It will be in the record and I will stand on what I do with it.

Mr. KENNEDY. One of the ones I have just read is business agent for 200.

Here is another one arrested. A couple of them are in 299, your own local. Six arrests for bookmaking, and one arrest for book-making.

Mr. HOFFA. I think there is one in my organization and the man has been in my organization and I think he has been there since 1938. He hasn't been convicted; isn't that correct? Isn't there one? His name is McMasters.

Mr. KENNEDY. He was arrested for felonious assault in 1941, so he has been in some difficulty.

Mr. HOFFA. Was he convicted?

Mr. KENNEDY. No.

Mr. HOFFA. That could be charged very easily.

Mr. KENNEDY. I just say it is an accumulation of these things, Mr. Hoffa.

Mr. HOFFA. I will accept the responsibility for my own organization, local 299, and I know McMasters' record. I know when he came off of a truck and when he came to work for me with a long accumulated seniority.

Mr. KENNEDY. Let me give you another one: In 1938, felonious assault, 1 year probation. 1940, violation of probation. 1942 carrying concealed weapons, 1 to 4 years Jackson State Prison. He was arrested in 1948 for armed robbery.

Mr. HOFFA. Are you saying he is in my employee?

Mr. KENNEDY. He is very very close to you.

Mr. HOFFA. Give me the name. He is not in 299.

Mr. KENNEDY. You don't know him?

Mr. HOFFA. I can't recall it, and when you give it to me——

Mr. KENNEDY. He is in local 641 in Pontiac. Do you know how he got his job up there?

In 1938, felonious assault. 1940, violation of probation. 1942, carrying concealed weapons. In 1948——

Mr. HOFFA. I will check on him.

Mr. KENNEDY. Another one: 1954, assault and battery, 4 months' probation, being an employee of a Ford dealer in Detroit, Mich. during a strike, 9 arrests.

Another one: Nine arrests for investigation of bookmaking. We have some others here.

These are all just in Detroit, and this was on the basis of not a very thorough investigation. You have had these people in New York, and you had this group in Detroit, and you associate with Angelo Meli, and you associate with Jimmy James, and Connelly. Connelly was mixed up with a murder down in Florida.

Mr. HOFFA. No, he wasn't.

Mr. KENNEDY. He was. Or attempted murder, and he was present, according to the statement of the man, and he was present when he received the payoff to throw rocks through laundry windows, and the man was supposed to go out and murder a laundry owner. He got five bullets in him. Then he came up and he went to work for you.

Mr. HOFFA. Just a moment. Let us correct the record. Where did James go to work for me?

Mr. KENNEDY. Connelly, I am talking about.

Mr. HOFFA. He did not go to work for me.

Mr. KENNEDY. Let us find out what the record is.

He got into that difficulty in Florida, and he came to work for the teamsters in Minneapolis; is that correct?

Mr. HOFFA. That is right.

Mr. KENNEDY. He got in further difficulty in Minneapolis, and he took money from an employer.

Mr. HOFFA. He didn't come to work for me.

Mr. KENNEDY. Wait a minute, and let us finish. He went to work in Minneapolis for the teamsters and he got money from an employer, and he was ousted from the union and you arranged for him to go back to work there after he had been convicted.

Mr. HOFFA. Yes, I listened to Einar Mohn's explanation of that.

Mr. KENNEDY. You blame that on Einar Mohn?

Mr. HOFFA. I don't say it was. I say I was on the committee and I accept the responsibility, Mr. Kennedy, and I am not shirking my responsibility.

Mr. KENNEDY. I don't see how you can say you are going to turn your back on these people and you are going to start investigating them. Your rise to power was based on these people.

The CHAIRMAN. He just said that he would not turn his back on anyone.

Mr. HOFFA. I said I would not turn my back on people, but I would make investigations just for the sake of making a statement, so that I will make an investigation as I stated, and what I told Senator Ives, will happen to determine whether I do it or not.

I think when I say something that I keep my word.

Mr. KENNEDY. I just don't understand how you can do it. If somebody has a rise to power that is based on this kind of a connection

with gangsters and hoodlums in every area, I don't see how then you can say, "I am going to make an investigation of them because suddenly now I have gotten to the position I wanted all of this period of time and I am going to be international president."

Mr. HOFFA. That is not correct. I have to make a statement here, which I hesitate to make, but I am going to make it with the Chair's permission.

The CHAIRMAN. The Chair will listen.

Mr. HOFFA. I happen to believe, and maybe it may be a philosophy a lot of people don't agree with, that everybody is entitled to rehabilitate himself and work. I also recognize that the labor movement, being as it is, having strikes and strikebreakers, and whatever it has to cope with, may find a perfectly honest man become involved and be picked up by the police on an investigative matter or a charge. Until he can get into court, he can become a very embarrassed individual. Then when he is found innocent, you find that he has a record. You may find also, and I will concede the question, that a man doing work driving a truck, like McMasters, and I don't want to embarrass him because I know this is going over the air, and I have talked with him—a man like McMasters drove a truck for years and years before he came to work for the teamsters, who to my knowledge hasn't done anything of a convictionable nature since he came to work for the teamsters, even though he has been involved in strikes and some questions, has to be treated completely different than the character that goes out here and does from what I can listen to out of this committee.

Those characters I am going to deal with, if it means I have got to have an argument with some people that I know and maybe get pretty serious. It will have to get serious and I will have the argument and we will straighten it out.

That is all I can say.

The CHAIRMAN. Mr. Hoffa, it is perfectly apparent from the record here that in the past you haven't been very much concerned about this character of people other than to use them, and work with them, and cooperate with them, and issue charters to them, and get them in the union. The fact that you might hire somebody to drive a truck that had been guilty of something, that is a different thing. But when you put them in a position of power and a place where they can use the union, and use their position in the union to exploit the public, to exploit others, and to carry on these things, it certainly is not doing anything to the credit of organized labor.

Proceed, Mr. Counsel.

Mr. KENNEDY. Mr. Hoffa, at this period of time in New York, and once again examining this as part of a pattern, wasn't your candidate Mr. John O'Rourke?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. You were interested in his election?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. And the record is clear that these locals, the officials of the locals, were attempting to vote in the election?

Mr. HOFFA. They filed their applications, I understand, in accordance with the constitution, and they were rejected by the joint council, because of the agreement that had been reached between President Beck and Martin Lacey. They sent wires in requesting information concerning the charters and that is what I know about it.

Mr. KENNEDY. Weren't you advising them during this period of time as to how they should handle the matter?

Mr. HOFFA. Advising who?

Mr. KENNEDY. Specifically, weren't you talking to John McNamara and advising him, for instance, that a letter of appeal should be sent into the international?

Mr. HOFFA. John McNamara called me and told me that they had refused to seat them. I told him what the appeal procedure was in the constitution, and he would have to comply with the constitution. I believe that is what I said, to the best of my recollection.

Mr. KENNEDY. You could see at that time, that the intention was, and you knew and you were aware that these locals were going to be used in order to influence the election in New York, and you were taking part in that yourself for the benefit of John O'Rourke.

Mr. HOFFA. It wasn't necessary to have those locals for O'Rourke to win, and the vote proved that he could win.

Mr. KENNEDY. If that was true, why did Mr. John McNamara make such an effort to get them seated so that they could vote in the election? All of the letters and all of the correspondence from John McNamara indicates that clearly.

Mr. HOFFA. I think that he was responsible for getting the charters and he would be responsible to assist in getting them seated.

Mr. KENNEDY. So that they could vote in the election?

Mr. HOFFA. If they were seated they could vote, I will concede that, but they were never seated.

Mr. KENNEDY. You were advising them during that period of time.

Mr. HOFFA. On the appeal procedure.

Mr. KENNEDY. So that they could vote, and the letters that they wrote after discussing the matter with you were letters so that they could appeal to the international so that they could be seated and vote in the election for your candidate, John O'Rourke.

Mr. HOFFA. Well, I don't recall the conversations but it is possible.

Mr. KENNEDY. Now, when you say that these votes were not needed, when the first election was held the vote was 192 to 181, and there were 11 votes in favor of Martin Lacey. So these votes that were all for John O'Rourke would have influenced the election or switched the election.

Mr. HOFFA. No, sir; that isn't correct.

Senator KENNEDY. Isn't it correct that Mr. O'Rourke won by 5 ballots, and 16 ballots were thrown out and that is how Mr. Lacey won?

Mr. HOFFA. I think it is the reverse, sir. I think that Lacey won the election, and there was, I believe, 16 challenged ballots. I believe after those ballots were finally voted, O'Rourke won by six. That is the record, sir.

Senator KENNEDY. How was it that Lacey was able to become head of the council that year?

Mr. HOFFA. He went into court and obtained an injunction.

Senator KENNEDY. Then these ballots were thrown out, and that gave the election to Lacey.

Mr. HOFFA. I don't think so. I think what happened, sir, was that they took the position that the impounded ballots couldn't be counted and Lacey made certain other allegations, and the court held it on an even keel until they had a court case.

That carried on to the end of the election. I believe that is the best of my recollection.

Senator KENNEDY. The point is that the election was extremely close, and these 7 locals having 7 votes each, 49 votes, could have been very decisive in such an election particularly when it was 10 or 11 one way or the other.

Now I would like to ask the counsel what the record shows on this question we are discussing.

The CHAIRMAN. Let the Chair make this observation, with which no one will disagree: Had the votes been counted of these fraudulent charters, had they been counted, O'Rourke would have been elected by some 40 votes or 35 to 40 votes. There isn't any question about that.

Mr. HOFFA. But O'Rourke was elected. O'Rourke was elected without those votes, when the challenged ballots were counted.

Mr. KENNEDY. Mr. Hoffa, the election results were 192 for Mr. Lacey, and 181 for John O'Rourke. There were 16 votes that were challenged, and there were the votes from these phony locals that were challenged.

Now, either one of those, if they had been counted, would have given the election to John O'Rourke.

Mr. HOFFA. I believe that the 16 votes were counted; were they not?

Mr. KENNEDY. They weren't counted any more than the 42 votes were counted.

Mr. HOFFA. I don't think that you are right.

Mr. KENNEDY. Who was president of the joint council in 1956?

Mr. HOFFA. O'Rourke won the election.

Mr. KENNEDY. No.

Mr. HOFFA. From information I have, I think I am correct, and I could be wrong, but the court enjoined him from taking the position. That is what happened, and not that he didn't win the vote by the prior chartered local unions.

Mr. KENNEDY. But John O'Rourke won the election either by counting the phony locals' votes, or by counting the 16 votes. But the court held that neither the 16 votes or the 42 votes would be counted, and Martin Lacey won.

Mr. HOFFA. I agree with what you say now.

The CHAIRMAN. There is no doubt about it. There is no doubt about what would have happened had these phony votes been counted.

Senator MUNDT. Can you clear this up for me? I am a little bit puzzled as to why a labor leader and a vice president for the Central States should be participating in the decisions made by the laboring people of New York as to who they want to have president of the joint council. Why did you want Mr. O'Rourke to be president?

Mr. HOFFA. Well, sir, I believed that it was necessary for a change if we could convince sufficient people to vote in the New York election, so that we could give proper coordinated effort between the South and the East to organize the nonunion operation in the south.

Senator MUNDT. That was your reason for favoring O'Rourke. Now, were you in that election at the direction of Einar Mohn or Dave Beck or did you just think this one up yourself?

Mr. HOFFA. No, sir; I had a perfect right as a member of the teamsters union to go into that area and campaign for another teamster. That is without Dave Beck or Einar Mohn.

Senator MUNDT. Is that a general practice among teamster unions? Do they send people from the New York area to campaign in Detroit as to who they select for the joint council, and you send people down to St. Louis?

Mr. HOFFA. If we believed it affects our area, we definitely would do it; yes, sir.

Senator MUNDT. Is this a general practice or was this an exception?

Mr. HOFFA. We did it in Philadelphia. We did it in New York. I can't recall any other area where we had any such difficulty of getting cooperation.

Senator MUNDT. Did you ever have anybody come into your bailiwick from the outside and try to run one of your joint councils?

Mr. HOFFA. We haven't had any particular competition.

Senator MUNDT. Have they ever come in and tried to create competition?

Mr. HOFFA. No, sir. We cooperate with all unions and, therefore, they will have no reason.

Mr. KENNEDY. Mr. Hoffa, as I understand it, you have stated that you were in contact with Mr. Dio during this period of time?

Mr. HOFFA. As I said, to my recollection, I think that I talked to him. You are talking about what time?

Mr. KENNEDY. During this period of the so-called phony locals, and when there was so much discussion about them.

Mr. HOFFA. I could have been, but I don't recall the conversation.

Mr. KENNEDY. Do you remember you stayed at the Hampshire House at the end of November 1955?

Mr. HOFFA. I could have, and I don't recall.

Mr. KENNEDY. Do you remember meeting with Mr. Dio at that time?

Mr. HOFFA. I could have and I don't recall.

Mr. KENNEDY. You don't recall that either?

Mr. HOFFA. Yes, sir.

Mr. KENNEDY. Well, the record shows you were talking to him a number of different times on the telephone. You called him on November 26, and you spoke to him for 2 minutes, and November 27 spoke to him for 8 minutes, and November 27 you spoke to him for 5 minutes, and December 7 you spoke to him for 5 minutes.

Mr. HOFFA. It is possible. As I say, to my recollection I can't recall the phone calls, but if you have them it is possible.

Mr. KENNEDY. I would like to point out that these calls are of some significance, Mr. Chairman, since they are just prior to the letters going from the paper locals, the phony locals to the Joint Council 16, listing officers which were requested to be seated by the joint council. For instance, the local 269 letter is dated November 29; 284 is dated November 29 and local 651 is November 29; and 295 dated November 30; and 258 is dated December 1 and 362 dated December 1, 1955.

Mr. HOFFA. It is possible I made them, and I can't recall them.

Senator KENNEDY. In response to Senator Mundt's question, Mr. Hoffa, you made the statement that you thought it was proper for you to campaign for Mr. O'Rourke. I think what the committee is concerned with is the way you campaigned. In order to influence the council it seems to me that you used your power as an important officer in the international union to get 7 locals give a charter which would give them 7 votes each, a total of 49, in spite of the fact that they did

not have members. In spite of the testimony of Mr. Lacey down here that he attempted to find out the reason for the charters being issued, Mr. Mohn testified that he was unable to give any explanation as to why he did not answer Mr. Lacey's interrogation, even though Mr. Lacey was then in a position of authority in New York.

So the question really comes down to the means by which you carried out the campaign for Mr. O'Rourke.

What you attempted to do was use your power to get 49 votes for Mr. O'Rourke in an extremely tight election, and that is what I think the committee has a right to question you on. It is not whether you used influence as a friend of Mr. O'Rourke, but whether you used your power as a leading teamster official to interfere in a completely improper way, and by the use of fraudulent charters to influence the election and therefore increase your control.

Mr. HOFFA. I understand what you are saying.

Senator KENNEDY. Would you tell me how that is inaccurate, that statement?

Mr. HOFFA. I did not know, and I don't recollect, anybody ever telling me that there were fraudulent charters. But my understanding was, the best I can recall from McNamara, they were going to bring in those members from the UAW into the teamsters. I believe that would have happened if there wouldn't have been the court case that developed out of the election.

But because of the court case, and the uncertainty of being seated in the council, that is what I believe kept us from doing what was originally intended.

Senator KENNEDY. We had all of this evidence that Mr. Lacey under the teamster constitution was entitled to know of this situation, and he was denied the information. These charters were rushed through in order to permit these people, all with criminal records, or nearly all of them, to vote in a very tight election. It seems to me that you did much more than campaign. You used your power and the influence you had with the teamsters headquarters here in Washington to throw votes, which should not have been voted, to your friend Mr. O'Rourke.

I think that is completely improper, just as I feel it is improper for you to spend \$5,000 of your local's money to influence a contested election in Philadelphia. I think that is a bad practice.

Mr. HOFFA. Mr. Kennedy, this isn't the first time in New York, Senator Kennedy, there have been charters issued on the same day in a number of 7 or numbers of 2. I have here July 8, 1953. At that time there were 7 charters issued on the same basis.

Senator KENNEDY. Mr. Hoffa, may I say that as I remember it the next year there were only 19 charters issued for teamster locals all over the world, yet 7 were issued under these conditions without the knowledge of Mr. Lacey or Mr. Hickey in New York. I do not think there was any doubt that they were issued in order to affect the election of Mr. O'Rourke, I think that is an open and shut case as developed before this committee, and that that was in your interest.

Mr. HOFFA. They could have affected the election, and I don't dispute the fact.

Senator KENNEDY. They would have, not "could have."

Mr. HOFFA. Well, could have or would have, whichever way you want to say it, if they had been voted. But since they didn't vote there was no contest.

Senator KENNEDY. That is not your fault that they did not vote. It is not that you did not intend them to vote. It is the court that stopped the voting.

Mr. HOFFA. No, they didn't stop them from voting.

Senator KENNEDY. They stopped the counting.

Mr. HOFFA. No, the court didn't stop—

Senator KENNEDY. They stopped the votes from being counted.

Mr. HOFFA. No, sir, that is not correct.

Senator KENNEDY. You tell it, then.

Mr. HOFFA. The local unions that were chartered, when it was brought to Dave Beck's attention, and this is the one thing that has not been brought out in this committee, and I want to bring it out so you will know what happened, when those local unions were finally chartered, and after a complaint had been lodged by Martin Lacey, I was called to Washington to President Beck's office. At that time, he told me that he had been informed that the agreement he had made with Martin Lacey hadn't been carried out, and he didn't want to be accused of breaking his word, and he requested me to contact John O'Rourke who was the opponent to Lacey, he intending to run for president again didn't want to become involved in a political fight, and tell O'Rourke that those votes would be placed in escrow and not counted unless there was a necessity to determine a majority vote in the council.

I contacted O'Rourke and told him exactly that.

Then there was a man assigned to cover the New York election.

Senator KENNEDY. But the point is, unless the votes would influence the election, they would not be counted.

Mr. HOFFA. That is correct. That is the statement.

Senator KENNEDY. They would have, and the point is it does not matter whether you count a vote unless it influences an election.

Mr. HOFFA. But it wasn't necessary. The election was won by the old original chartered unions which gave everybody a fair opportunity to have an election without considering the votes that were involved in these 49 votes that were contested.

Senator KENNEDY. I agree that your idea and your plan was not successful. Mr. Hoffa, your plan to use these seven votes to influence the election of Mr. O'Rourke. I agree that because of a variety of conditions it was not a successful operation. What I am talking about is your intention that it would be successful.

Mr. HOFFA. It wasn't necessarily my intention, and I don't recall discussing the question of this being of paramount importance to win the election, because O'Rourke told me he could win the election of those people who were there a year before we even considered these charters. I tried to convince O'Rourke to run the year before, and, because of his health, he couldn't run.

So I can't recall ever talking to Mr. O'Rourke prior to the issuance of these charters, of not being able to win an election.

Senator KENNEDY. Why were they issued without the knowledge of Lacey and Hickey, then?

Mr. HOFFA. I beg your pardon?

Senator KENNEDY. Why were they issued without the knowledge of Lacey and Hickey?

Mr. HOFFA. I was told it was a mistake, an oversight that the agreement hadn't been carried out.

Senator KENNEDY. I think it is all part of this pattern in order to displace Mr. Lacey. That was the reason he was not informed about it.

Mr. HOFFA. Well, I was certainly anxious to replace Mr. Lacey, but I must state to my recollection I never discussed the question with President Beck on that basis.

The CHAIRMAN. Is there anything further before we recess?

Mr. KENNEDY. No.

The CHAIRMAN. The committee stands in recess until 2 o'clock.

(Whereupon, at 12:37 p. m., the committee recessed, to reconvene at 2 p. m., the same day.)

(Members present at the taking of the recess: Senators McClellan, Kennedy, Ervin, Goldwater and Mundt.)

AFTERNOON SESSION

(Members present at the start of the afternoon session: Senators McClellan, Ives, Kennedy, and Curtis.)

The CHAIRMAN. The committee will come to order.

TESTIMONY OF JAMES R. HOFFA, ACCOMPANIED BY HIS COUNSEL, GEORGE S. FITZGERALD—Resumed

Mr. KENNEDY. I just have a couple of short things I want to clear up with you, Mr. Hoffa.

First, do you know Mr. Joseph Glimco?

Mr. HOFFA. Yes.

Mr. KENNEDY. Has he been a trustee in the central conference of teamsters?

Mr. HOFFA. No. He is not a trustee of the central conference of teamsters.

Mr. KENNEDY. Was he ever? Has he ever been a trustee?

Mr. HOFFA. Just let me think a minute. Let's see who our board is, first.

Mr. KENNEDY. Excuse me?

Mr. HOFFA. Let me find out who the board is first.

(The witness conferred with his counsel.)

Mr. HOFFA. No. I would say he is not a trustee of the central conference, and I can't recall him ever having been, because our structure is that the vice presidents in the area and three other people are the officers, and I don't believe it has ever changed, Mr. Kennedy.

Mr. KENNEDY. Do you know if he has ever been a trustee of that local 777 in Chicago?

Mr. HOFFA. Well, that is different. He could very well be. I could tell you in a minute by looking in the book, if you want.

Mr. KENNEDY. Our information was that he was at one time.

Mr. HOFFA. I wouldn't say that he was or wasn't. That is in Chicago, and we have two vice presidents there.

Mr. KENNEDY. You know him quite well, do you not?

Mr. HOFFA. Yes, I know him quite well.

Mr. KENNEDY. Did you know he was an associate of Tony Accardi?

Mr. HOFFA. Do I know he is?

Mr. KENNEDY. Yes.

Mr. HOFFA. Of my own knowledge; no.

Mr. KENNEDY. Or Frank Nitti?

Mr. HOFFA. Of my own knowledge, I do not know.

Mr. KENNEDY. You have heard that?

Mr. HOFFA. I have read it in the newspaper.

Mr. KENNEDY. And that he has been indicted twice on charges of murder?

Mr. HOFFA. What is that?

Mr. KENNEDY. That he has been indicted twice, Glimco has been indicted twice?

Mr. HOFFA. For murder, do you say?

Mr. KENNEDY. Yes.

Mr. HOFFA. I didn't see that in the paper.

Mr. KENNEDY. Do you know William Presser?

Mr. HOFFA. Yes.

Mr. KENNEDY. And he is also a close associate of yours?

Mr. HOFFA. Yes.

Mr. KENNEDY. And he is chairman of the Ohio Conference of Teamsters?

Mr. HOFFA. Yes, sir.

(At this point, Senator Goldwater entered the hearing room.)

Mr. KENNEDY. You were aware that he took the fifth amendment before a congressional committee in regards to his finances?

Mr. HOFFA. Yes, sir. I believe he did. I read it in the paper.

Mr. KENNEDY. What about Dave Triscaro? Do you know him, Triscaro?

Mr. HOFFA. Yes.

Mr. KENNEDY. Did you take part in the testimonial banquet for him?

Mr. HOFFA. Yes, I did.

Mr. KENNEDY. Now, I asked you this morning a couple of questions about your relationship with Johnny Dio, and whether you had ever sent anybody to assist him and whether he had ever sent anybody to aid or assist or help you.

I was wondering whether you had a chance to reflect your recollection over the noon hour and whether you could give any better answers to that now? Do you want to discuss that with your attorney?

Mr. HOFFA. I have run it through my mind during the lunch hour and to the best of my recollection, I cannot recall what you are talking about.

(At this point, Senator McNamara entered the hearing room.)

Mr. HOFFA. If you have some way of assisting me, I would appreciate it. I can't recall it.

Mr. KENNEDY. You cannot remember anything about that?

Mr. HOFFA. Well, to the best of my recollection, I can't remember what you are talking about.

Mr. KENNEDY. Did he ever send any individual or any groups or a number of individuals out to Detroit to perform a job for you?

Mr. HOFFA. You asked that this morning and I said that to my recollection, I cannot remember him doing it.

Mr. KENNEDY. Well, would it refresh your recollection at all if I told you that you had paid those individuals, or paid one of the individuals for the work he did? That was back in 1953.

Mr. HOFFA. I cannot recall nor recollect what you are talking about.

Mr. KENNEDY. You cannot remember him sending anybody out to aid or assist you during 1953?

Mr. HOFFA. To the best of my recollection, I cannot recall who you are talking about.

Mr. KENNEDY. You were in contact with him in 1953? Do you remember that?

Mr. HOFFA. Well, yes. I so stated that here.

Mr. KENNEDY. Mr. Chairman, this is a rather important matter and I am sure that Mr. Hoffa remembers it. There can't be any question that he would remember it, if it was an important matter in his life.

Would it help any if we gave you just a minute to think about it and answer the question?

The CHAIRMAN. What is the question again?

Mr. KENNEDY. Whether he knows whether Mr. Dio arranged to have an individual or a number of individuals come and assist Mr. Hoffa in a project out in Detroit.

You do not remember that at all, Mr. Hoffa?

(The witness conferred with his counsel.)

Mr. HOFFA. Maybe they can help me out. Just a moment.

Mr. KENNEDY. Maybe they can.

(The witness conferred with his counsel.)

Mr. KENNEDY. Were they a help?

Mr. FITZGERALD. Pardon me. May I speak to the General Counsel off the record here on this matter, Mr. Chairman? I would like to—

The CHAIRMAN. I beg your pardon?

Mr. FITZGERALD. May I consult with Mr. Kennedy off the record to find out what this matter concerns? If it was what I think it is, I think it is a matter, from his questions—I am thinking from a standpoint of time—it might be a matter that was excluded, I believe, by the ruling of the Chair, and that was not going to be gone into.

Mr. KENNEDY. Now, what does that mean?

Mr. FITZGERALD. Well, I think earlier, Mr. Kennedy, we had a matter affecting a pending indictment in New York State.

Mr. KENNEDY. I am talking about Mr. Dio.

Mr. FITZGERALD. No, but you are talking about an area in 1953.

Mr. KENNEDY. But are you saying Mr. Dio was involved in the wire tapping of Mr. Hoffa?

Mr. FITZGERALD. No, I did not. I did not say anything about that.

Mr. KENNEDY. I thought you were implying that at least.

Mr. FITZGERALD. No; I am not; but you are in the same identical area that is covered by an indictment.

Mr. KENNEDY. This is amazing to me.

Mr. FITZGERALD. It is not amazing to me.

Mr. KENNEDY. Because it is the same period of time?

Mr. FITZGERALD. Because it is the same period of time and involving apparently—

Mr. KENNEDY. What period of time are you talking about?

Mr. FITZGERALD. You mentioned 1953; did you not?

Mr. KENNEDY. You don't want me to discuss any period of time involving 1953?

Mr. FITZGERALD. I think if it does concern the indictment, then maybe my fears as counsel, and not Mr. Hoffa's fears, my fears as counsel are perhaps—

Mr. KENNEDY. As I understand it, so we get it clear, Mr. Hoffa is under indictment not with Mr. Dio.

Mr. FITZGERALD. That is right.

Mr. KENNEDY. Is it your statement that Mr. Dio is involved with Mr. Hoffa in this wire tapping?

Mr. FITZGERALD. That is not my statement at all.

Mr. KENNEDY. It is the implication of your statement.

Mr. FITZGERALD. It is not the implication of my statement.

Mr. KENNEDY. Then he can go ahead.

Mr. FITZGERALD. You can go ahead if you wish.

The CHAIRMAN. Go ahead.

Mr. KENNEDY. Tell us about it, then.

Mr. HOFFA. Should I tell you?

Mr. KENNEDY. Yes.

Mr. HOFFA. I made the statement this morning that I, to the best of my recollection, could not recall what you are talking about. I have run it through my mind this afternoon and, unless you can assist me, I cannot recall.

Mr. KENNEDY. Mr. Fitzgerald can assist you.

Mr. HOFFA. I disagree with Mr. Fitzgerald. He cannot assist me in something that he don't know of, I am sure, and that I am sure I cannot recollect. He is talking about it from a lawyer's standpoint. I am here trying to tell you from the best of my recollection what I remember.

Mr. KENNEDY. How can he make a request of the committee not to go into something that you don't recollect what it is?

Mr. HOFFA. Mr. Kennedy—Senator McClellan, unless he can refresh my memory, I cannot recollect what he is talking about, to the best of my—

The CHAIRMAN. What is the question? Let's see if we can straighten it out. What is the question?

Mr. KENNEDY. Just if Mr. Hoffa and Mr. Dio arranged for anyone to go out to Detroit to assist or help Mr. Hoffa in any project in 1953.

(The witness conferred with his counsel.)

The CHAIRMAN. All right. The question is very direct. Do you know or do you recall, or will you state whether Mr. Dio sent anyone out to Detroit in 1953 or arranged for someone to go out there to assist you in a project?

(The witness conferred with his counsel.)

Mr. HOFFA. Senator, to the best of my recollection, I cannot remember it happening.

The CHAIRMAN. You cannot remember anyone making any arrangements with Mr. Dio?

Mr. HOFFA. As I say, Senator, during the lunch period I tried to run it through my mind and to the best of my recollection, I cannot recall the answer.

(At this point Senator Kennedy withdrew from the hearing room.)

The CHAIRMAN. All right.

Mr. KENNEDY. Do you remember if Mr. Dio himself came out to visit you in 1953?

Mr. HOFFA. Mr. Dio was in Detroit. I cannot recollect exactly when.

Mr. KENNEDY. Did he bring anything out to you at that time?

Mr. HOFFA. Well, to the best of my recollection, I can't remember him doing it, if he did.

Mr. KENNEDY. You can't remember anything about that?

Mr. HOFFA. If he brought something out, to the best of my recollection I cannot remember.

Mr. KENNEDY. To the best of your recollection, you do not remember it?

Mr. HOFFA. That is right.

Mr. KENNEDY. You can't assist us or help us at all in this matter?

Mr. HOFFA. I am doing the best that I can recall.

The CHAIRMAN. Let me ask you: Did he bring you any office equipment?

Mr. HOFFA. I can't remember any office equipment he ever brought me, Senator.

The CHAIRMAN. Did he bring you any other kind of equipment that you can recall?

Mr. HOFFA. I just cannot recall, to the best of my recollection I cannot recall, Senator, him bringing anything of any consequence to the office.

The CHAIRMAN. Don't you think if he had brought you something a little bit unusual you would have recalled it; something out of the ordinary?

Mr. HOFFA. If I would know what it was, it might refresh my memory.

Mr. KENNEDY. This is a well-known gangster in New York coming out to visit you, convicted of extortion, who brought all of these hoodlums in the labor-union movement in 1952 and 1953, and you cannot remember anything about it.

The CHAIRMAN. All right. Proceed. The witness says he doesn't remember.

Mr. KENNEDY. I will try one refresher for you.

Mr. HOFFA. All right.

Mr. KENNEDY. May we play a tape of Mr. Hoffa?

The CHAIRMAN. All right. Have you a transcript of the recording?

Mr. KENNEDY. Yes.

The CHAIRMAN. Let us have it.

(Members of the select committee present at this point in the proceedings were: Senators McClellan, Ives, Ervin, Goldwater, and Curtis.)

(Transcript of telephone conversation between Johnny Dio and Jimmy Hoffa on June 2, 1953 follows:)

OPERATOR'S VOICE. Hello, Mr. Hoffa? Hello?

JIMMY HOFFA. Yes, m'am.

OPERATOR. Mr. Hoffa? One moment please.

JOHNNY DIO. Hello, Jim?

HOFFA. Hi, Johnny; how are you?

DIO. How are you feeling?

HOFFA. Good, John. You?

DIO. All right.

HOFFA. Good.

DIO. You're not going to be out of town Thursday morning, are you?

HOFFA. I won't John; I'll be here.

DIO. Well, I'm leaving Thursday morning around 8 o'clock in the morning.

HOFFA. What time do you arrive, Johnny?

DIO. Well, how long does it take?

HOFFA. About 2½ hours.

DIO. About 2½ hours?

HOFFA. (Inaudible.)

DIO. What did you say? Hello? Hello? Hello? Hello? Hello?

OPERATOR. Operator.

DIO. Operator, you disconnected me with Detroit.

OPERATOR. I didn't disconnect you, sir; just a minute please. You may have been cut off on the circuit.

DIO. Oh, I see.

DETROIT OPERATOR. Detroit.

NEW YORK OPERATOR. Operator; am I connected with Woodward 1-1241?

DETROIT OPERATOR. No, you're not.

NEW YORK OPERATOR. Operator, would you ring them back, please?

DIO. (Aside). The reason why I'm not even—even gonna talk to you guys now is because one of you is talking; I got an idea who it is.

VOICE. (In background). (Inaudible.)

DIO. Yeah.

WOMAN'S VOICE. Mr. Hoffa's office.

OPERATOR. Operator, we were disconnected from you.

WOMAN'S VOICE. Is this New York again?

OPERATOR. Yes, it is.

WOMAN'S VOICE. Is your party on the line?

OPERATOR. Yes, he is.

DIO. Hello.

HOFFA. Hello.

DIO. Hello, Jim; we were disconnected. Awwwww—I'm leaving early in the morning—

HOFFA. (Inaudible.)

DIO. I should be there about 10:30-11 o'clock.

HOFFA. Ten thirty-11 o'clock?

DIO. Yeah; I'll see you in the office.

HOFFA. I'll have a car pick you up.

DIO. Don't worry about it.

HOFFA. Yes I will.

DIO. All right, look; I'll send you a wire and let you know what flight I'm leaving on.

HOFFA. Okay, Johnny.

DIO. I got a couple of those things—

HOFFA. Good.

DIO. So, ah, maybe—maybe I'll have four of them tomorrow.

HOFFA. Fine.

DIO. All right?

HOFFA. Yeah, John.

DIO. But two I got for sure—

HOFFA. Right.

DIO. But I may have four tomorrow. O. K.

HOFFA. Yeah, John.

DIO. All right, Jim.

HOFFA. O. K.

DIO. Bye, bye.

The CHAIRMAN. All right, Mr. Counsel, proceed.

Mr. KENNEDY. Mr. Hoffa, what were these things that he was talking about?

Mr. HOFFA. Mr. Kennedy, I have read this and listened to the recording, and I recognize my voice, and I believe it is Dio's voice. But after reading this, I cannot refresh my memory from the notes, to the best of my recollection, I cannot understand what he would be talking about, "four of them" and I don't know whether or not he ever came to Detroit at that particular time.

Mr. KENNEDY. You just cannot tell us anything about what the "four of them" was?

Mr. HOFFA. It could be four of almost anything.

Mr. KENNEDY. What was it, that is what we are trying to find out.

Mr. HOFFA. I cannot, from this conversation, sir, be able to recall what it is. It may not have happened. Did he come in, do you know?

The CHAIRMAN. What was so mysterious about it?

Mr. HOFFA. I don't think that there could have been anything mysterious about it, but the way it reads, it implies that there is, but it seems to be a rather jumbled up telephone conversation.

The CHAIRMAN. The way it reads is the way it was recorded, I believe.

This may be printed, this transcript may be printed in the record in full.

Mr. KENNEDY. Did you meet with him? Did you meet with Dio?

Mr. HOFFA. Well, as I say, Mr. Dio did come to Detroit, and I cannot recall whether or not it was this trip or whether he arrived there or not because if he arranged the meeting he may have canceled it or may not have come in, and I cannot recall, whether there would be a meeting out of this telephone conversation or not.

Mr. KENNEDY. Did he have two things with him when he arrived?

Mr. HOFFA. As I say, to the best of my recollection, and after reading this, I cannot recall what he is talking about when he makes the statement "I'll have four of them tomorrow." "But two I got for sure—but I may have four tomorrow." It doesn't refresh my memory as to what it means.

Mr. KENNEDY. Was he getting any Minifons for you at that time?

Mr. HOFFA. Was he getting them for me?

Mr. KENNEDY. Yes.

Mr. HOFFA. I bought some Minifons, but from my recollection I cannot recall whether he was in it or not.

Mr. KENNEDY. You don't remember whether he brought Minifons for you from the East?

Mr. HOFFA. I cannot, to the best of my recollection, get whether he did or not.

Mr. KENNEDY. What did you do with the Minifons you purchased?

Mr. HOFFA. What did I do with them? Well, what did I do with them?

Mr. KENNEDY. What did you do with them?

Mr. HOFFA. I am trying to recall.

Mr. KENNEDY. You could remember that.

Mr. HOFFA. When were they delivered, do you know? That must have been quite awhile.

Mr. KENNEDY. You know what you did with the Minifons and don't ask me.

Mr. HOFFA. What did I do with them?

Mr. KENNEDY. What did you do with them?

Mr. HOFFA. Mr. Kennedy, I bought some Minifons, and there is no question about it, but I cannot recall what became of them.

Mr. KENNEDY. They just arrived?

Mr. HOFFA. I am trying to answer your question. I know that they were around the office, and I believe we used them. I am trying to refresh my memory now, and I believe we used them to report some union meetings. I had them for the purpose of being able to go into meetings of political and other nature, to record information. But

I cannot recall when we did it or how we did it. That was the purpose of buying them.

MR. KENNEDY. You wore Minifons yourself.

MR. HOFFA. What is that?

MR. KENNEDY. You wore a Minifon yourself.

MR. HOFFA. I cannot recall doing it, and I may have.

MR. KENNEDY. Well, now, you remember what you did. You said you bought a package of Minifons, and they arrived at the office, and it is fairly reasonable, Mr. Hoffa, what you did with them.

Did you ever wear one?

MR. HOFFA. You say "wear." What do you mean by "wear"?

MR. KENNEDY. Did you ever have one, did you ever use one? Did you ever have one in your possession?

MR. HOFFA. Yes.

MR. KENNEDY. In what connection?

MR. HOFFA. I had it in my office looking at it.

MR. KENNEDY. Looking at it?

MR. HOFFA. Trying to see how it worked.

MR. KENNEDY. You purchased these Minifons so you could do that?

MR. HOFFA. Well, I said, to the best of my recollection, we purchased them for the recording of meetings in political union meetings, and I can't recall for what else.

MR. KENNEDY. Mr. Hoffa, if you want to record a meeting, you can go and get a recording machine. A Minifon is far different from a plain recording machine. A Minifon you have in your possession, and they are small instruments. What were you doing with the Minifons? Did you pass any of the Minifons out to the teamster business agents?

MR. HOFFA. I may have, but I cannot recall who.

MR. KENNEDY. To whom did you give them?

MR. HOFFA. I can't, to the best of my recollection—I am trying to give you the fact that we purchased them. I took the responsibility for purchasing them.

MR. KENNEDY. Who did you purchase them through?

MR. HOFFA. Well, I don't know.

MR. KENNEDY. Where did you purchase them?

MR. HOFFA. It seems to me that a fellow by the name—and this is to my best recollection—a fellow by the name of Spindel sold them to us, if I am not mistaken.

MR. KENNEDY. Where is he from?

MR. HOFFA. New York.

MR. KENNEDY. And he brought them to you?

MR. HOFFA. I don't know whether he did or not.

MR. FITZGERALD. Mr. Chairman, may I address the Chair?

THE CHAIRMAN. All right.

MR. FITZGERALD. Mr. Spindel is indicted jointly with Mr. Hoffa in the southern district of New York for a conspiracy to violate section 605. It seems to me that we are getting very, very close to the border line here, and I do not want to.

THE CHAIRMAN. You do not use a Minifon in wiretapping, do you?

MR. FITZGERALD. No, but we are moving into that area, Mr. Chairman.

THE CHAIRMAN. If we do not get into wiretapping, we are not into that area of wiretapping, and that is what he is indicted for.

Mr. FITZGERALD. But it is the proof of association and business relationships which leads to a proof of conspiracy, Mr. Chairman.

The CHAIRMAN. Well, I think the committee is entitled to know if these things are proper instrumentality to be used in a labor union, and I think the committee should know it.

If it is an improper practice, I think it should be developed.

Would you say it is a proper practice or improper practice?

Mr. FITZGERALD. It would depend upon their use.

The CHAIRMAN. It might, and we are trying to find out how it is used.

Mr. FITZGERALD. That I have to admit, but I do believe that since we are in a situation where we are talking about a so-called coconspirator under indictment.

The CHAIRMAN. Is Dio under indictment with him?

Mr. FITZGERALD. Yes. No; I am sorry, I didn't say Dio.

The CHAIRMAN. I said Dio.

Mr. FITZGERALD. No, I was referring to Spindel.

The CHAIRMAN. We are trying to determine if Mr. Dio brought those instruments out there.

Mr. FITZGERALD. I did not object while that was going on, but when the question of Spindel came up, I was trying to call it to the Chair's attention.

Senator CURTIS. Could we have the witness describe a Minifon? He seems to have used one. What is it like and how big is it?

Mr. HOFFA. I believe it is about the size of a tablet, I think that would be a fairly accurate description.

Senator CURTIS. What is it used for?

Mr. HOFFA. Recording, sir.

Senator CURTIS. Where can it be placed on a person?

Mr. HOFFA. In your hand, or put it in your pocket.

Senator CURTIS. Is one of its purposes to make recordings without having it apparent that a recording is being made?

Mr. HOFFA. It could be.

Senator MUNDT. Are they generally sold on the open market in electrical stores?

Mr. HOFFA. I believe so, they are. I think that they are advertised in magazines and so forth.

Senator MUNDT. I never heard of one myself. It sounds like a mechanical eavesdropper machine.

Mr. HOFFA. I am quite sure you will find them advertised in magazines, and I think certain radio stores may carry them, and I don't know.

Senator MUNDT. How much do they cost? You say you bought four of them?

Mr. HOFFA. I didn't say I got four. I can't remember how many I bought and I can't remember the price.

Senator MUNDT. Dio said, "I will have four of them, tomorrow."

Mr. HOFFA. What he is saying there, but I cannot recall ever having anything to do with these in relationship to what we are talking about.

Senator MUNDT. He said he got two for sure.

Mr. HOFFA. I don't know what he is talking about.

Senator MUNDT. It looks like you ordered 4, but got 2. Talking about these Minifons, can you think of anything else he was trying to buy for you, that might be 2 or perhaps 4?

Mr. HOFFA. To the best of my recollection, when I read this, and after reading this, I cannot recall what four he was talking about.

Senator MUNDT. You knew then very clearly. "I got a couple of those things," and you didn't say, "What did you get," you just said, "Good."

Mr. HOFFA. Maybe it didn't happen, and I cannot recall, and this thing may not have happened.

Senator MUNDT. It could not have gotten on the tape if it had not happened.

Mr. HOFFA. I don't mean that and I am not saying that the conversation didn't take place, but the four he talks about, whatever it may have been, may never have arrived.

To the best of my recollection, I could not recall exactly what he is talking about.

Senator MUNDT. How many Minifons did you get?

This is something you do not forget because it is not like buying a sack of sugar or a sack of flour. You said the other day you can remember the things unusual in your life and this is unusual and I take it you are not a Minifon agent and you do not buy a lot of them.

How many did you buy?

Mr. HOFFA. This question was asked of me about 3 months ago.

Senator MUNDT. Can you remember the answer you gave 3 months ago?

Mr. HOFFA. And I had to say at that time, they had a bill of some description that did not clearly indicate it——

(The witness conferred with his counsel.)

Mr. HOFFA. I cannot recall how many I bought. There was a bill at that time and I do not remember whether or not they were itemized or whether there was a total bill, sir.

Senator MUNDT. Who asked you the question 3 months ago, someone from your staff?

Mr. HOFFA. No, sir, it was a person, Mr. Fitzgerald talked about, and I don't want, unless the Chair orders, I don't want to discuss where it was, and I think that they can surmise.

Senator MUNDT. Somebody was investigating it 3 months; is that right?

Mr. HOFFA. Yes, sir.

Senator MUNDT. And they asked you about these?

Mr. HOFFA. Yes, sir.

Senator MUNDT. And they had a bill?

Mr. HOFFA. They had a total bill, sir.

Senator MUNDT. What is that?

Mr. HOFFA. A total bill.

Senator MUNDT. Which had been paid for by the teamsters?

Mr. HOFFA. Yes, sir.

Senator MUNDT. Mr. Counsel, does it show on the teamsters books, and do we have the books to show how much the bill was?

Mr. KENNEDY. I don't know what teamster account it was on.

Senator MUNDT. Maybe you can help us on that. Was it your local?

Mr. HOFFA. As to the Chair, if I may address the Chair, this concerns my indictment, sir, and am I required to answer the question?

The CHAIRMAN. Let us see now. What was the question?

Senator MUNDT. The question was, which local paid for the Minifon.

The CHAIRMAN. I don't believe that you are indicted for these Minifons, are you?

Mr. HOFFA. But the time I was questioned, sir, the question came up.

The CHAIRMAN. If it came up in connection with his indictment, I wouldn't ask him that. You can ask him where he got them and whether he paid for them and so on. I don't want to do anything that would interfere.

Senator MUNDT. Does it interfere with your rights as an indietee to ask you what you did with them after you got them?

The CHAIRMAN. The Minifons are not involved in the indictment.

Senator MUNDT. No.

The CHAIRMAN. The Minifons are not involved in the indictment and I understand the indictment is for wiretapping and Minifons is a different thing.

Senator MUNDT. I haven't asked you whether you used them as a wiretapping device, and I don't think you did. I think that you used them for people to carry to a meeting where they could record conversations without the people engaging in the conversations knowing they were being tapped. I think that is the reason you have Minifons. It is to tap a conversation, or record a conversation. That is because you don't want the people to know about it and you strap them around your body or put them in your pocket or keep them concealed. Isn't that the reason you have Minifons? To be perfectly frank about it.

Mr. HOFFA. We had Minifons as I stated, for meetings or for whatever we deemed it necessary to have them for, and to the best of my recollection I can't recall any meetings that we were at at this time.

Senator MUNDT. Now a Minifon, Mr. Hoffa, doesn't have legs, it has to walk into a room on somebody's body.

Mr. HOFFA. I recognize that, sir.

Senator MUNDT. Were you the man who took the Minifons into these meetings, and were you the Minifon operator?

Mr. HOFFA. To the best of my recollection, I don't ever recall taking one into a meeting. I think what I did was to have it in my office. That is the best I can recall.

Senator MUNDT. Did you use it in your office to record conversations taking place there?

Mr. HOFFA. Well, I don't know if I recorded anybody's conversation or not. I think what we were doing was experimenting with it to see how it worked, and it wasn't satisfactory.

Senator MUNDT. It didn't work out satisfactorily. But you paid for them and you didn't return them.

Mr. HOFFA. I paid for them.

Senator MUNDT. You didn't say, "This gimmick won't work."

Mr. HOFFA. They weren't very satisfactory. They were very thin wire, and they weren't very satisfactory, and I cannot recall from my memory as to any instance of having a Minifon.

Senator MUNDT. Are you able to answer categorically yes or no to this question: Did you ever wear a Minifon into a meeting for the purpose of secretly recording conversations in that meeting? If you say no, we have made a lot of progress. If you say yes, I have some more questions.

This is something that you surely would remember, because this is an unusual type of performance for you to engage in.

Mr. HOFFA. I am thinking about it, Senator, and I think I can give you an answer. I am trying to run through this period of time in my mind all of this time, and it is very difficult.

Senator MUNDT. Very good.

Mr. HOFFA. Well, sir, to the best of my recollection, I do not believe that I did. I cannot recall any incident to the best of my recollection.

Senator MUNDT. Could you give me a shorter answer which would not include the phrase "to the best of your recollection"?

Mr. HOFFA. No, sir, because I just can't recall. I am trying to, but I can't recall.

Senator MUNDT. Do you not think you would recall if you had ever worn one of these? You would have a peculiar feeling, would you not, all strapped up for wiretapping, walking into a room? This is something unusual that you would probably remember.

The CHAIRMAN. It is not wiretapping.

Senator MUNDT. Not wiretapping. Conversation tapping. You walk into a room—this is kind of a thrilling experience. You feel like sort of an espionage agent, I imagine, wearing of these things, and wondering if they are going to see you, and does it tick. I am sure you would remember if you ever strapped yourself into one of them, to sneak into a room to pick up a conversation. I would like to have you say "Yes, I did, and this was the reason" or "No, I did not," and not go through that "to the best of my recollection" routine on something that you should know about.

Mr. HOFFA. Well, sir, you may have been able to remember it, and if you did, with so many things happening in my life I have to answer you the way I did.

To the best of my recollection, I do not believe I did.

Senator MUNDT. Did anybody, at your direction, ever wear one of these mechanical eavesdroppers into a room to bring back a report on what took place inside the room?

Mr. HOFFA. Again I have to say to the best of my recollection I did not remember ever assigning anybody specifically or otherwise for this purpose.

Senator MUNDT. But it could have happened?

Mr. HOFFA. It is possible, I don't say it couldn't have happened, but I do not, from recollection, recall it.

The CHAIRMAN. Let the Chair ask you a question. You say if we can suggest something it might remind you. Let me see if I can be of a little help.

At the time you bought these Minifons, you were under investigation by a grand jury, were you not?

(The witness conferred with his counsel.)

Mr. HOFFA. Mr. Fitzgerald reminds me that there was a grand jury.

The CHAIRMAN. Did you not buy them for the specific purposes, and did you not use them for the specific purpose, of placing them on witnesses who went into the grand jury room to testify so that when they came out you would have a recording of what they said?

(The witness conferred with his counsel.)

The CHAIRMAN. And did you not use them for that purpose?

(The witness conferred with his counsel.)

Mr. HOFFA. Mr. Chairman, I would like to answer that as a direct question, but again I am reminded in my own mind, listening to state-

ments that have been made in this committee, attributed to myself, by other people, which I can't recall, and I have to say to the best of my recollection I cannot recall anybody being assigned or going into any grand jury chambers, and I may say, sir, that a certain judge that conducted that vigorously denied it when it appeared in the newspaper.

The CHAIRMAN. Let me ask you one more time. If you did this, this is certainly something you would not forget, unless you were in such a habit of it, and it has become such a habit, you could not remember it at that particular time, and there is no evidence here to indicate that.

(At this point, Senator Curtis entered the hearing room.)

The CHAIRMAN. Did you not procure these Minifous for the purpose of, and did you not use them to place on witnesses who went before the grand jury, so that when they came out you would have a recording of the testimony they had given?

Mr. HOFFA. May I consult with my attorney, sir?

The CHAIRMAN. Yes, sir.

(The witness conferred with his counsel.)

The CHAIRMAN. Let us have order.

All right.

Mr. HOFFA. Mr. Chairman, again I must say to the best of my recollection, I did not assign, nor direct anybody to do any such a thing, but because of stories appearing in the paper, which I don't have any knowledge of, and cannot recall from memory, I must make the statement I am making, sir. If you have something to refresh my memory, I will be glad to try and help you, sir.

The CHAIRMAN. I have done as much to refresh your memory as I know how to do. If you cannot recall it from that, and you want to leave the record that way, if you want to think that this committee is so stupid and that the public is so stupid that they will believe that you could not remember having done a thing like that, you leave the record that way.

Proceed, Mr. Counsel.

Mr. KENNEDY. Mr. Hoffa, can you refresh your recollection at all now in connection with this, or in connection with anything, if Mr. Dio made any arrangements to send people out to your headquarters in Detroit?

Mr. HOFFA. To the best of my recollection, I must recall on my memory, I cannot remember.

Mr. KENNEDY. "To the best of my recollection I must recall on my memory that I cannot remember," is that your answer?

Mr. HOFFA. That is right. I cannot remember anybody being sent there.

The CHAIRMAN. Let us have order.

Mr. KENNEDY. Could I try to refresh his recollection, Mr. Chairman, again?

We are almost running out of refreshers, Mr. Hoffa.

Mr. HOFFA. Well, sir, I am trying to help. This is a serious situation.

The CHAIRMAN. Let us have order.

Pass around the transcript.

Let us have order now.

Proceed.

(Transcript of telephone conversation between James Hoffa to Johnny Dio on June 16, 1953, follows:)

JOHNNY DIO. Hello; just a moment.

WOMAN'S VOICE. Just a moment, sir.

(Dio inaudible.)

(Voice inaudible.)

DIO. Hello.

WOMAN'S VOICE. Mr. J. Dio?

DIO. Hello.

WOMAN'S VOICE. Hello, sir, are you Mr. J. Dio?

DIO. That's right.

WOMAN'S VOICE. Detroit is calling. Go ahead, sir.

JIMMY HOFFA. Hello.

DIO. Hello, James.

HOFFA. Johnny; how are you?

DIO. Aw, J—, I've been worried about you; I've been following you up every day in the newspapers.

HOFFA. Yeah. Well, I didn't call beca—

DIO. I know, but I was d—all I wanted to know was how were things; that's about all. I finally called Dave yesterday. I tried—because I saw his name in the papers, too, so I thought maybe he'd know and he said everything so far so good. I tried to contact you in Cleveland.

HOFFA. Yeah; I run out of there early—

DIO. I know, and—I know I saw, I read in papers where you give what's-hisname a nice verbal lashing. When you are ready on the election let me know; I'll come up and be a picket.

HOFFA. [Much laughter.]

DIO. Did my man get there all right?

HOFFA. Yes; he was here last week.

DIO. Yeah.

HOFFA. He—he was to see you over the weekend that's why I thought he would tell you the whole story.

DIO. Yes. Well, I didn't see him because I was busy.

HOFFA. I see. He was back here again this week, two of them.

DIO. Well, he'll be back.

HOFFA. He's here now.

DIO. Is he there now?

HOFFA. And they are doing that work.

DIO. Uh-huh.

HOFFA. Uhhh—he had to have 13 last week for supplies.

DIO. Huh?

HOFFA. He wanted—

DIO. Well, I gave him a few hundred when he left.

HOFFA. He wanted \$500 for (inaudible) supplies.

DIO. Uh-huh. I'll a—

HOFFA. Now, ah—insofar as work is concerned you better have him call you before he starts.

DIO. Yeah, but look Jim; you remember you do all your discussing there with him because if you don't like anything tell me. You know what I mean?

HOFFA. Well, he's doing all right.

DIO. Well, I'm going to tell you this. Those are the best—

HOFFA. Yeah, you're doing a wonderful job.

DIO. They are the best; they work for the UN and everything else, now—and whenever you want to need 'em any part of the country if you want to find out they're your people you let me know. You know what I mean?

HOFFA. Yup.

DIO. Otherwise, how's things, Jim?

HOFFA. All right, John. We got a grand jury.

DIO. They do have one?

HOFFA. Grand jury started this morning.

DIO. Uh-huh.

HOFFA. And apparently they're going to try to indict everybody in sight.

DIO. Uh-huh.

HOFFA. However, I don't know what in the h— they gonna indict people on; there don't seem to be nothing here; primarily it's Buffalino they're after.

Dio. Yeah. Bad publicity, too.

HOFFA. And now they have put it into the parking lots——

Dio. Uh-huh.

HOFFA. Ahhh, bowling alleys——

Dio. Uh-huh.

HOFFA. Right.

Dio. Uh-huh.

HOFFA. Laundries and linen.

Dio. Uh-huh. Hello?

HOFFA. I'm not talking from my office so it don't make any difference.

Dio. Yeah. Well—I'm only—all I'm interested in is that I hope everything works out fine and that's all I'm interested and if I can be of any help Jim in any way; I know politically there I can't help you.

HOFFA. Well——

Dio. My case, incidentally, I went to court this morning and they postponed it till October the 5th.

HOFFA. Ah, just what you said—political.

Dio. Well, that's—that's what—but it was important for me to get it postponed, Jim, because nominations are this month, y'know.

HOFFA. Yeah.

Dio. And we'll see.

HOFFA. But I feel sure it's going to be a long, drawnout affair, I'm afraid.

Dio. Ah, for Ch——'s sake.

HOFFA. I don't think they'll make it in a hurry; I think they'll drag it along and make a lot of publicity and bad headlines——

Dio. Yeah, uh-huh——

HOFFA. And a lot of that stuff.

Dio. Well, d—— it, boy; I feel for you. I know what I've been going through.

HOFFA. Well, I've had—this is the third trip I've had with them.

Dio. Well, I won't discourage you but I can only—only one thing I want to tell you, not that I want you to do anything about it, but I want to tell you. One thing I wanted to read if you don't mind a minute.

HOFFA. Go ahead, Johnny.

Dio. A statement from Thomas L. Hickey, international vice president: "The recent action of the executive council of the AFL in removing local 102 from the New York City taxi scene has cleared the way for New York City cabdrivers to organize under the jurisdiction of the largest union in the A. F. of L. * * *", and then the rest of the bull——. After I send them that telegram and everything.

HOFFA. That stupid son of a ——.

Dio. Well, I just wanted you to know. Don't do nothing about it. Take care of your own troubles right now——

HOFFA. After all, what luck is he having?

Dio. What did you say?

HOFFA. What luck does he have?

Dio. Oh, you know he ain't going to have no luck. Son of a——; God alone is going to pun—punish him. He ain't got no luck. For C——'s sake, guys are walking away left and right. But, we won't worry about that Jim; you know, you said once, "Don't rock the boat."

HOFFA. Right.

Dio. Yeah, well listen, we're here to stay; we're not going to die tomorrow—we hope—and—a—we're not that old.

HOFFA. Ah, I think it'll work out.

Dio. You know we're only a couple of 4-year-olds; you know.

HOFFA. These old bas—— will all be dead.

Dio. What?

HOFFA. These old bas—— will all be dead.

Dio. Well, Jim, you ju—ah, I'm glad I spoke to you; I didn't want anything other than I wanted to know if my guys were doing a job——

HOFFA. Very good.

Dio. And please call me at anytime, Jim, if I can be of any help.

HOFFA. Right, Johnny.

Dio. And one of these weeks maybe I'll run in on you for a day——

HOFFA. Okay.

Dio. And give my regards at home and to Bert and everybody else.

HOFFA. Right, Jack.

DIO. Well, I'll call you now and then—will only be just like to find out what's what.

HOFFA. I'm tickled to death to talk anytime; I'll call you to keep you informed too.

DIO. All right, Jim.

HOFFA. Right.

DIO. I been buying the Detroit papers every day—

HOFFA. Ha, ha, ha—

DIO. You know, we get 'em here, you know, on 42d Street.

HOFFA. Yeah, yeah.

DIO. So I've been following them up.

HOFFA. Yeah.

DIO. All right, Jim, take it easy.

HOFFA. Okay, Johnny.

DIO. Right. Bye.

The CHAIRMAN. This transcription will be printed in the record.

All right, Mr. Counsel.

MR. KENNEDY. Does that refresh your recollection, Mr. Hoffa?

MR. HOFFA. Listening to the recording, I believe that it is my voice. It sounds like John Dio. But it is almost 4 years ago, and I do not have any independent recollection as to the substance of the call. To the best of my recollection, it did not—my memory was not refreshed by reading this. This concerned a grand jury.

MR. KENNEDY. Well, let us not go that fast. Let us go back here to the top of page two:

DIO. Did my man get there all right?

HOFFA. Yes, he was here last week.

DIO. Yeah.

HOFFA. He—he was to see you over the weekend that's why I thought he would tell you the whole story.

DIO. Yes. Well, I didn't see him because I was busy.

HOFFA. I see. He was back here again this week, two of them.

DIO. Well, he'll be back.

HOFFA. He's here now.

DIO. Is he there now?

HOFFA. And they are doing that work.

DIO. Uh-huh.

HOFFA. Uh-huh—he had to have 13 last week for supplies.

DIO. Huh?

HOFFA. He wanted—

DIO. Well, I gave him a few hundred when he left.

HOFFA. He wanted \$500 for (inaudible) supplies.

DIO. Uh-huh. I'lla—

HOFFA. Now, ah—insofar as work is concerned you better have him call you before he starts.

What is that about, Mr. Hoffa?

(The witness conferred with his counsel.)

MR. HOFFA. Well, apparently it was something I was having done, and I cannot recollect from this telephone call exactly what it was. I can probably check up and maybe I can inquire around as to what it was, but at this particular moment I cannot give you the answer.

The CHAIRMAN. Mr. Hoffa, you have been continuously asking us to refresh your memory.

MR. HOFFA. That is right, sir.

The CHAIRMAN. Can you tell us how we can do it?

MR. HOFFA. Well, sir—

The CHAIRMAN. How? After all, are you still taking the position that your memory has failed you?

Mr. HOFFA. I don't say my memory has failed, but I say to the best of my recollection, I cannot recall the substance of this telephone call, nor place the facts together concerning what it pertains to.

The CHAIRMAN. But if these things do not refresh your memory, it would take the power of God to do it.

The instrumentalities of mankind, obviously, are not adequate. Proceed.

Mr. KENNEDY. It doesn't refresh your recollection—

They are the best; they work for the U. N. and everywhere else?

Listen to this carefully—

And wherever you want to need 'em, any part of the country if you want to find out they're your people, you let me know.

What does that mean—

If you want to find out they're your people you let me know?

What does that mean? Who are these people?

Mr. HOFFA. Well, Mr. Kennedy, I realize what the Chair just said, but I still must say to the best of my recollection, I cannot recall what that paragraph you read means at this time. I cannot recall it.

Mr. KENNEDY. Mr. Hoffa, it is just beyond the powers of comprehension that you can't recall that. A reasonable man cannot believe you when you say that you can't recall that.

(The witness conferred with his counsel.)

Mr. HOFFA. Well, I would say this to you. I just don't have a normal situation here in regards to the occupation I am in. I have strikes, I have people visiting me, meetings, telephone calls, and a hundred and one things. I cannot, to the best of my recollection, give you an answer to what this pertains to.

Mr. KENNEDY. You have had the worst case of amnesia in the last 2 days I have ever heard of.

The CHAIRMAN. Let us have order.

Senator MUNDT. Mr. Chairman, getting back to page two, I have a question.

You certainly can find a better answer than you have given, Mr. Hoffa, for a conversation where you, yourself, tell Dio that his man wanted \$500 from you for supplies.

Let us get this picture. Here was a racketeer, who has a record in Sing Sing, who has a record of all kinds of violent activities in New York. He is sending you a man. His man comes out and he wants \$500 for supplies. You certainly can tell us whether those supplies were dynamite for blowing up a building, if they were batteries or wires for this Minifon business, so that he can move in and record a secret conversation, or whether they were groceries for a starving family.

What were they?

I think this committee has a right to know, and I think that you certainly can recall an unusual circumstance like that. This isn't just an ordinary thing. Some of the times that you have said your memory has failed you, I have been inclined to think that there was a reason for it, that you could not remember an ordinary conversation, whether you walked into a hotel and rode up an elevator with a certain man or not. But when you tell this committee that you cannot remember whether you ever tried to use a Minifon to record the proceedings of

a grand jury, that you cannot tell whether you ever used a Minifon yourself to walk in, sneak in, and under the cover of darkness take out of the meetings certain findings and facts and conversations, and tell us that you cannot remember whether you ever gave one of Dio's thugs \$500 for supplies and, if so, you cannot remember what the supplies were for, you lose us. It is impossible.

I could not believe this if I were not sitting here listening to it. It would be easier for me to understand your saying "I take the fifth on it" because it is something to cover up.

But when you say you cannot remember, cannot remember whether you ever tried to prevent justice in grand jury, that is a terrible statement to make.

Mr. HOFFA. Well, sir, I am sorry that is your position, but to the best of my recollection, I cannot recall, and this does not refresh my memory as to this conversation.

(At this point, Senator Kennedy entered the hearing room.)

Senator MUNDT. Do you remember giving them the \$500?

Mr. HOFFA. I say to the best of my recollection I do not recall the situation.

Senator MUNDT. Do you remember his asking for the \$500?

Mr. HOFFA. I can't recall, sir. I can't recall the conversation. I can't recall the situation, sir.

Mr. KENNEDY. Now would you come over to page 5?

Dio says:

A statement from Thomas L. Hickey, international vice president—and he reads it to you—

"The recent action of the executive council of the AFL in removing local 102 from the New York City taxi scene has cleared the way for New York City cab drivers to organize under the jurisdiction of the largest union in the A. F. of L.—"

That is your own union that is being referred to there—

and then the rest of the bull——. After I send them that telegram and everything.

And Hoffa—

That stupid son of a ——.

(The witness conferred with his counsel.)

Mr. KENNEDY. Why were you calling Mr. Tom Hickey a "stupid son of a ——" in connection with that statement?

Mr. HOFFA. Well, I just don't have any independent recollection to this particular incident. To the best of my recollection, I cannot other than give the answers I am giving you.

Mr. KENNEDY. Why was Tom Hickey a "stupid son of a ——" for making the statement that the teamsters were going to organize the taxicabs? Why did you and Johnny Dio agree that Tom Hickey, a teamster vice president in his own area, was a "stupid son of a ——" because he was trying to organize the taxicab drivers?

Mr. HOFFA. Well, sir, I don't know. At that time the statement probably was made, but I don't recall it. I don't recall why. There may have been more to it than this conversation.

Mr. KENNEDY. You cannot recall that?

Mr. HOFFA. No, sir.

Mr. KENNEDY. And Dio goes over on page 6 and says, "God alone is going to punish him." Evil old Tom Hickey, God alone is going to

punish him—He doesn't say evil old Tom Hickey—he is such a bad man—he is trying to organize the taxicab drivers for the teamsters—that God alone is going to punish him, and you are joining in that conversation, Mr. Hoffa.

Can you explain that to us?

MR. HOFFA. Mr. Chairman, I cannot explain Dio's statement.

MR. KENNEDY. You did not oppose it. You said, "Right."

"But we won't worry about that, Jim; you know, you said once 'don't rock the boat', and you said, "Right."

Is that the way you treat your fellow vice presidents in the teamsters?

Jimmy Hoffa, ninth vice president of the teamsters?

Or are you only interested in Jimmy Hoffa, not the teamsters?

MR. HOFFA. I am interested in the International Brotherhood of Teamsters, and its members, and to the best of my recollection, I do not recall this conversation.

MR. KENNEDY. Well, then, from this conversation, you were interested in Johnny Dio and Jimmy Hoffa and not the teamsters, Mr. Hoffa.

You call him "that old bas—— will all be dead."

Did you call Mr. Hickey that name, to Johnny Dio, a racketeer, a labor racketeer? Will you tell us about that?

MR. HOFFA. I have made the statement——

MR. KENNEDY. What is it?

MR. HOFFA. That I do not recall the conversation. To the best of my recollection, I am giving you my answers.

THE CHAIRMAN. Let us move to the next. Is there anything else on this one?

Senator CURTIS. Who is the "Bert" referred to on the top of page 7 in this conversation?

MR. HOFFA. Burke, did you say?

Senator CURTIS. Yes.

MR. HOFFA. This particular one, I don't know what "Bert" I was talking about.

Senator CURTIS. It was Dio talking and it says:

Give my regard at home and to Bert and to everybody else.

MR. HOFFA. I don't recall, sir.

Senator CURTIS. Do you know whose home he was talking about?

MR. HOFFA. What home?

Senator CURTIS. It says:

Give my regards at home.

MR. HOFFA. Probably my home.

Senator CURTIS. You do not know who Bert was?

MR. HOFFA. I do not know this conversation. I cannot recall who Bert was.

Senator CURTIS. Do you know any "Bert"?

MR. HOFFA. Yes.

Senator CURTIS. And this Bert that you have in mind, does he know Dio?

(The witness conferred with his counsel.)

MR. HOFFA. I know Bert Brennan and he knows Dio and I don't know whether it was the conversation here or not.

Senator CURTIS. Bert who?

Mr. HOFFA. Bert Brennan.

Senator CURTIS. And you do not know whether that was the Bert referred to?

Mr. HOFFA. I cannot recall which Bert we were referring to.

Senator CURTIS. Well, what do you remember after having heard the transcription and having read the transcript of it?

(The witness conferred with his counsel.)

Mr. HOFFA. Well, sir, I have no independent recollection at this time, as to what it referred to or who he referred to.

Senator CURTIS. I mean anywhere in the seven pages, do you remember anything?

Mr. HOFFA. At this time I have no independent recollection of this conversation and if it would not have been played back and presented here, I would not have recalled or would not even remember that I made such a conversation.

Senator CURTIS. That is all.

The CHAIRMAN. The audience may be at ease for a moment. We will take about a 2-minute recess.

(Brief recess.)

Mr. FITZGERALD. May I address the Chair?

The CHAIRMAN. You may.

Mr. FITZGERALD. I have acted as counsel for Mr. Hoffa, and the counsel of record is Mr. Sol Gebb, of New York. I have worked with him on the case under which Mr. Hoffa is indicted with Mr. Brennan and Mr. Spindel in the southern district of New York, for conspiracy to violate section 605 of title 47 of the United States Code.

I am satisfied from the grand jury's investigations that this wire-tapping recording that you read bears directly upon that, and is part of the Government's case, and will be so used in the southern district of New York.

Now, I am sure that the general counsel and the staff of this committee know that. I did not believe it possible that they would want to pursue a subject of this kind with a man under indictment.

Mr. KENNEDY. Do you want to say this under oath, Mr. Fitzgerald?

Mr. FITZGERALD. I am talking as counsel.

The CHAIRMAN. Be brief. We agreed and the committee has held and I have held and I think you agreed that a Minifon could not be used for wiretapping, and the indictment is for wiretapping.

Mr. FITZGERALD. This is not related to the Minifon. This partakes of every part of the indictment in New York. I say I don't think that the Chair or this committee realizing that, would want to pursue this inquiry further when Mr. Hoffa has to stand trial.

The CHAIRMAN. All right, just a moment.

Mr. FITZGERALD. I would like questioning deferred on it and I make it in good faith.

The CHAIRMAN. Thank you very much. The Chair will not pursue the matter any further at this time. But I will make some observations:

First, on behalf of the committee the Chair wishes to thank all of those who have greatly facilitated our preparations for these hearings relating to New York. We are deeply grateful to Mr. Joseph Campbell, Comptroller General of the United States, who has made available

to us on a loan basis, some 18 accountants and investigators from the New York office.

I would like to particularly mention Mr. Owen Kane, who acted as liaison between the committee and the General Accounting Office in Washington.

I am also grateful to Mr. John McElligot of the Internal Revenue Service in New York, who assisted our staff. We, of course, are most grateful to Mr. Frank Hogan, district attorney of New York County, for the wholehearted cooperation furnished by Al Scottie, head of the rackets bureau, along with Assistant District Attorney Harold Bryan, Alvin Goldstein, and James Fitzpatrick. Their assistance is indeed appreciated.

Also of invaluable assistance in the district attorney's office were investigators under the supervision of Mr. Thomas Fay of New York Police Department and detectives under the supervision of Captain Haynes.

I cannot close these hearings without expressing the committee's appreciation to our staff, particularly the chief counsel, Robert Kennedy, Paul Tierney, Bob Dunne, and Walter May, John Porta, Carmine Bellino, Pierre Salinger, Jerry Alderman, Cye Cheasty, and Kenneth O'Donnell.

For reasons that are apparent to everyone who has followed these hearings, we have reached a point where it seems to be useless and a waste of the committee's time at this particular time to proceed further.

We have proceeded to the point where the witness has no memory and he cannot be helpful even when his memory is refreshed. Therefore, the Chair is going to recess this series of hearings.

However, before I do so, I shall serve here in open session, a subpoena on Mr. Hoffa, which he may acknowledge, or which return may be made on.

Serve it, Miss Clerk, and make a return on it so it is served here in open session.

Mr. Hoffa will be back before this committee again. I cannot now announce the time, but his presence will be needed. I hope in the meantime he can refresh his memory.

But in conclusion the Chair wishes to make a résumé of what has been developed so far. I may say, I do not want to bring out any more refreshers at this time. They seem not to have much effect and they do not accomplish anything as far as aiding the witness.

In the course of these hearings, these facts have been disclosed, together with information the committee has, and we are not disclosing all of that information.

I want to make this summary.

CONFLICTS OF INTEREST IN LOANS

1. James R. Hoffa borrowed \$5,000 in cash from Jack (Babe) Bushkin, a labor-relations adviser who represents a number of employers with whom the teamsters have contracts.

2. James R. Hoffa borrowed \$5,000 in cash from J. L. Keeshin, a truck owner who had contracts with the teamsters union.

3. James R. Hoffa borrowed \$25,000 in cash from Henry Lower, a real-estate promoter whose Florida development, Sun Valley, is being

sponsored by the teamsters union. Hoffa made this loan shortly after he urged a Detroit bank—where the teamsters had large deposits—to loan \$75,000 to Lower at 4 percent interest. Hoffa paid Lower no interest.

4. James R. Hoffa sent teamster union business agents to Florida at union expense to assist the Sun Valley project and had teamster union business agents sell lots in the project. He did this despite the fact he had an option to buy property in the development, the success of which depended on the number of teamsters purchasing lots.

5. James R. Hoffa borrowed \$25,000 in cash from Harold Mark, an accountant and auditor, whose firm reviewed the records of the Central States Southeast-Southwest Welfare Fund. In addition, Hoffa obtained the loan soon after locals 299 and 337 of Detroit made loans to Mark in excess of \$100,000 at 6 percent interest. When Mark loaned Hoffa back \$25,000, he charged no interest.

6. James R. Hoffa borrowed \$11,500 in cash from Herbert L. Grosberg, the accountant for teamster organizations in Detroit, who holds his job at the pleasure of James R. Hoffa.

7. James R. Hoffa borrowed \$18,000 in cash from a group of teamster business agents in Detroit whose jobs depend on the good will of James R. Hoffa.

UNION FUNDS

8. Local 337 of the teamsters union loaned \$50,000 to the Northville Downs Racetrack, a trotting-horse track in Michigan, where the long-time associate of James R. Hoffa, Owen Brennan, a teamster union official, raced part of his string of harness horses.

9. James R. Hoffa's home local 299 and local 337 in Detroit, Mich., purchased the home of Paul "The Waiter" Ricca, notorious mobster of the Capone gang who has been ordered deported from this country.

10. James R. Hoffa's home local 299 and local 337 in Detroit, Mich., lent \$75,000 to the Marberry Construction Co., owned by Herbert Grosberg, accountant for the teamsters union, and George Fitzgerald, attorney for the teamsters union. This is about the same time that Hoffa obtained loans of \$11,500 from Herbert Grosberg.

11. James R. Hoffa donated \$5,000 of dues money paid by Michigan teamsters to the reelection campaign of one Edward Crumback who was running for the post of president of local 107 in Philadelphia, Pa., against another teamster. Hoffa added he would not hesitate to use union-dues money for his own reelection if he felt it necessary.

12. James R. Hoffa made arrangements for the donation of \$3,000 to the Wholesale Produce Buyers Association of Detroit, which had been charged by the Federal Government for violation of the antitrust laws. Hoffa admitted that the members had not been consulted on whether or not they wished to make this contribution.

CONFLICTS OF INTEREST AND BUSINESS TRANSACTIONS

13. James R. Hoffa set up a trucking company which leased its equipment to the Baker Driveaway Co., owned by William Bridge, a truck owner who had contracts with the teamsters union. The stock of this company, the J & H Sales Co., was put in the name of Hoffa's friend, James Montante, and then transferred to the names of Jose-

phine Poszywak and Alice Johnson, maiden names of the wives of James Hoffa and Owen Brennan.

14. J & H Sales became National Equipment Co. owned by Josephine Poszywak and Alice Johnson, maiden names of Mrs. James Hoffa and Mrs. Owen Brennan. National Equipment leased equipment to Baker Driveaway Co., at that time owned by William Bridge and Carney Matheson, the Detroit lawyer who negotiated and negotiates with the teamsters union on behalf of the drive-away and haul-away truck employers.

15. The National Equipment Co., owned by Mrs. James Hoffa and Mrs. Owen Brennan in their maiden names, ultimately sold its equipment to the Convertible Equipment Leasing Co., owned by William Bridge, a truck owner who had contracts with the teamsters union, and Carney Matheson, Detroit lawyer who negotiates contracts with the teamsters union.

16. Following the solution of labor problems in Flint, Mich., with the intercession of James R. Hoffa, Commercial Carriers, Inc., a trucking company with contracts with the teamsters union, played a part in setting up the Test Fleet Corp. The general counsel of Commercial Carriers, Mr. James Wrape, incorporated the Test Fleet Corp. in Tennessee under his name. Elliott Beidler, accountant for Commercial Carriers, kept the books and records of Test Fleet for 4 years at no salary. Commercial Carriers' owner, Bert Beveridge, signed a \$50,000 note for equipment for Test Fleet. After the company was set up, the stock was quietly transferred into the names of Josephine Poszywak and Alice Johnson, the maiden names of Mrs. James Hoffa and Mrs. Owen Brennan.

17. Commercial Carriers Corp. handed Test Fleet Corp. lush contracts for the transportation of Cadillacs. The result: On an original investment of \$4,000, Mrs. Hoffa and Mrs. Brennan received a net profit of \$125,000 in the period from January 1949 to December 31, 1956.

18. James R. Hoffa set up a company to make investment loans with Carney Matheson, the Detroit attorney who negotiated contracts with Mr. Hoffa and the teamsters union.

19. Mr. Hoffa joined with Mr. Allen Dorfman, general agent of the Union Casualty Co., and Mrs. Rose Dorfman, a partner in the Union Casualty Co., to purchase the Jack O'Lantern Lodge, known as Joll Properties. Mr. Hoffa entered this business relationship despite the fact that he was the trustee for the Central States Conference Welfare Fund, and the Dorfman's were representatives and collected large premiums for the handling of this insurance fund.

20. Joll Properties, in which James R. Hoffa had a financial interest, received \$11,000 loan from the insurance company which handled the multimillion-dollar business of the Central States Conference of Teamsters.

21. James R. Hoffa and Dr. Leo Perlman, a majority stockowner in the Union Casualty Co., went into business in North Dakota under the name of Northwest Oil Co.

22. Mr. Hoffa joined Mr. Carney Matheson, the attorney who negotiates contracts for a segment of the trucking industry, in an investment in the Terminal Realty Co. in Detroit, Mich.

23. Mrs. James R. Hoffa acquired an interest in a trucking company in Detroit, Mich., which had contracts with local 299 of the teamsters

union, of which Mr. James R. Hoffa is president. Another stockholder in this company was Dale Patrick, nephew of Frank Fitzsimmons, a business agent of local 299.

CONFLICTS OF INTEREST IN STOCK

24. James R. Hoffa purchased 400 shares of stock in the A. C. F. Wrigley Co., a Michigan supermarket firm with whom the teamsters union has contracts. Labor-relations director of the A. C. F. Wrigley Co., is Mr. Jack (Babe) Bushkin, from whom Hoffa borrowed \$5,000 in cash in 1952 or 1953.

25. James R. Hoffa purchased 600 shares in McLean Industries, a company whose trucking division had contracts with the teamsters union.

26. James R. Hoffa purchased \$25,000 in stock of the Fruehauf Trucking Co., with whom the Central States Conference of Teamsters, of which he is the head, has contracts.

CLOSE ASSOCIATES OF JAMES R. HOFFA

27. James R. Hoffa placed one of his associates, Eugene C. (Jimmie) James as head of jukebox local 985 in Detroit, Mich. James was accused by the Douglas-Ives committee of stealing some \$900,000 from the Laundry Workers International Union welfare fund.

28. James R. Hoffa and Owen Brennan, president of local 337 in Detroit, lent James \$2,000 or \$2,500 to start the operations of local 985. James repaid Hoffa and Brennan by placing their wives on the union payroll under their maiden names, Josephine Poszywak and Alice Johnson. He had repaid almost three times the original investment when the matter came to light before a Michigan grand jury.

29. James R. Hoffa assisted Samuel "Shorty" Feldman, Philadelphia ex-convict, in obtaining a charter for friends in the Hotel and Restaurant Workers Union.

30. James R. Hoffa imported Robert "Barney" Baker to work for him as an organizer in the Central States Conference of Teamsters. Baker, a New York tough with a prison record for throwing stink bombs and injury to property, is referred to in the records of the New York State Crime Commission as a collector for the Service Collective Agency, a front through which large sums of money were obtained from the public loading racket.

31. James R. Hoffa has had a long and continued association with Johnny Dio, three times convicted labor extortionist, who has served time in Sing Sing prison. I may say that testimony here today is so convincing of that relationship, and the intimacy of it, that it is unbelievable that Mr. Hoffa couldn't remember more about it.

32. James R. Hoffa maintained Gerald Connelly, a Minneapolis organizer, in his job after he had been convicted of taking a bribe from an employer in Minneapolis, Minn. Connelly had come to Minneapolis after leaving Florida "under a cloud" after participation in an organizational drive of the Laundry Workers International Union in which he was associated with two gunmen, Solly Isaac and Dave Cominsky, who were convicted for attempted murder.

33. Chicago taxicab local 777, a part of the Central States Conference of Teamsters, of which Hoffa is chairman, has maintained the

services of Trustee Joseph Glimco. Glimco has been indicted twice on charges of murder and convicted on charges of larceny. He is a close associate of Capone mobsters, including Tony Accardo and the late Frank Nitti.

34. James R. Hoffa played a part in the speedy ascent of William Presser to the chairmanship of the Ohio Conference of Teamsters. Presser has been convicted of violation of the Federal antitrust laws and has taken the fifth amendment before congressional committees in relation to his financial affairs. Also, testimony in Toledo showed Presser had accepted a payment of \$2,500 for the setting up of an employers jukebox association which was negotiating a contract with his own union.

35. James R. Hoffa played a part in organizing a testimonial banquet for Louis "Babe" Triscaro, head of the excavating drivers local in Cleveland, Ohio, who spent time in the Ohio State Reformatory.

36. James R. Hoffa has a long and continued association with Lou Farrell, a Des Moines, Iowa, racket figure who is also involved in the labor-relations business. Reports of the Kefauver committee identified him as a Capone mobster operating in Iowa.

37. Local 299, joint council No. 43, the Michigan Conference of Teamsters, and the Central States Conference of Teamsters, all of which are headed by James R. Hoffa, employed persons as business agents and organizers, despite the fact they had been accused of armed robbery, kidnaping, larceny, bookmaking, throwing stench bombs, impersonating Government officers, felonious assault, and carrying concealed weapons.

38. James R. Hoffa set up an alliance with the International Longshoremen's Association after it had been thrown out of the AFL-CIO for racket control. He also attempted to loan \$490,000 to this organization.

39. James R. Hoffa has had a long and continuing association with Angelo Meli, a Detroit prohibition hoodlum who has twice been accused of murder.

QUESTIONABLE EXPENSES

40. More than \$5,000 in union funds were paid to the Woodner Hotel in Washington, D. C., for the lodging of friends and associates of James R. Hoffa during his trial on bribery-conspiracy charges. This money came from union dues of teamster members in Chicago, Detroit, and St. Louis.

PAPER LOCALS

41. James R. Hoffa masterminded and played a key role in the chartering of seven paper locals in New York City, knowing these locals to be racket controlled and devoid of membership. Hoffa did this to effect the election of his friend, John O'Rourke, who took the fifth amendment before this committee as head of joint council 16 in New York City.

TRUSTEESHIPS

42. James R. Hoffa was named trustee of local 614 in Pontiac, Mich., after top officers of that local were indicted for extortion in a Michigan highway-paving scandal. Hoffa then appointed two of the indicted officials as business agents to run the affairs of this local. They were both subsequently convicted of extortion.

43. James R. Hoffa was named trustee of local 823 in Joplin, Mo., after the local's president, Floyd C. Webb, had been accused of spending thousands of dollars in union funds for his own personal benefit and after union members had complained that Webb had threatened their lives for complaining about the way he was running the union. After being named trustee, Hoffa named Webb to run the union under the trusteeship.

UNION MEMBERS

44. James R. Hoffa, who arranged for the loans of almost \$250,000 in union funds to friends and acquaintances, it will be noted, sent a Detroit teamster, who wanted to borrow \$500, to the bank.

45. James R. Hoffa, who has repeatedly labeled himself as the champion of workingmen, attempted to put 30,000 taxicab drivers in New York under the leadership of Johnny Dio, a convicted labor extortionist. He did this only a month after New York newspapers had published the fact that Dio had accepted more than \$11,000 to keep certain dress firms in Allentown, Pa., nonunion.

TEAMSTERS UNION

46. James R. Hoffa, the 9th vice president of the International Brotherhood of Teamsters, supported the cause of labor racketeer Johnny Dio in relation to a New York taxicab charter while he knew that his own union was attempting to organize taxicabs under the direction of teamsters union 3d vice president, Thomas L. Hickey.

47. James R. Hoffa and others under his direction, joined with labor racketeer Johnny Dio in conspiring to obtain derogatory information which could be used for the purpose of blackening the character of a fellow teamster, vice president, Thomas Hickey, and thus permit Dio, a convicted extortionist, to operate the taxicab locals in the teamsters.

ANSWERS TO COMMITTEE QUESTIONS

48. While teamster general president Dave Beck took the fifth amendment some 140 times during one session, James R. Hoffa either avoided or equivocated the answers to 111 questions at Thursday's session.

Mr. Hoffa has not taken the fifth amendment, but Mr. Hoffa either avoided or equivocated the answers to 111 questions at Thursday's session and today, although we are adjourning early, I think that he broke that record.

Mr. FITZGERALD. May I make a statement, before you leave?

The CHAIRMAN. Very briefly.

Mr. FITZGERALD. It is about a matter that I spoke to you about and not related to Mr. Hoffa.

The CHAIRMAN. Just a moment.

Mr. FITZGERALD. This relates to Mr. David Previant, an attorney at law, who, according to the record, it has been established here on several pages of the transcript, and I won't refer to them, was for a considerable period of time and is at the present time, attorney and general counsel of the UAW-AFL.

He belongs to the firm of Padway, Goldberg, and Previant, in Milwaukee, Wis.

I merely want the record to show on behalf of Mr. Previant, who I represent at this time, that he is an attorney for the UAW-AFL and for the fact that he did not consent to the interception of the telephone call, the recording of May 1, 1953. The recording of which was read, or any of the other telephone calls.

The CHAIRMAN. The objections you made in the record, as to Mr. Hoffa, may apply to him.

Mr. FITZGERALD. This was made on behalf of Mr. Previant. I wanted the record to show that, nor did he consent to the transmission broadcasting or divulging in any way of the contents of such talks.

The CHAIRMAN. I covered that.

The Chair wishes to specifically thank the audience. They have been very cooperative and you have conducted yourself in a way that enabled us to proceed at all times without any interference or any inconvenience from the audience. You have been welcome and we are glad you came.

Before I adjourn, I wish to admonish Mr. Hoffa that he will remain under subpena, subject to being recalled upon reasonable notice being given.

Thank you very much. The committee stands adjourned.

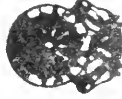
(Whereupon, at 3:35, p. m., the hearing in the above entitled matter was recessed subject to call of the Chair.)

APPENDIX

EXHIBIT No. 157

2741 TRUMBULL AVE WO. 2-7879

*Harold & Frank
in Detroit
Mail: Wergin*



**FOOD & BEVERAGE DRIVERS
WAREHOUSEMEN & HELPERS**
LOCAL UNION NO. 337 DETROIT, MICH.

No. 1536

10-1 1936 720 9-31

PAY TO THE
ORDER OF

W. J. Wergin

\$ 1550.00

BANK of the COMMONWEALTH

DETROIT, MICH.

C3-050

2500

FOOD & BEVERAGE DRIVERS DOLLARS

Robert Holman

AUTHORIZED SIGNATURE



*For Deposit Only
Harold L. Mark*

2741 TRUMBULL AVE WO 2 7879



FOOD & BEVERAGE DRIVERS
WAREHOUSEMEN & HELPERS
LOCAL UNION NO 377 DETROIT 18 MICH.

PAY TO THE
ORDER OF

Harold L. Mark

DETROIT MICH.

6 / 11 / 1956 9-31
720

No 593

\$500.00

BANK of the COMMONWEALTH

DETROIT, MICH.

C 3-050

Robert Holman

FOOD & BEVERAGE DRIVERS
DOLLARS

*ATMOSPHERIC SIGNATURES

EXHIBIT No. 160

**FOOD & BEVERAGE DRIVERS
WAREHOUSEMEN & HELPERS**

LOCAL UNION NO. 337, DETROIT 16, MICH.

55642 No. 8163

9-31
1950 720

DETROIT, MICH.

PAY TO THE
ORDER OF

Robert F. Hall

DOLLARS

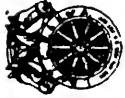
FOOD & BEVERAGE DRIVERS

BANK of the COMMONWEALTH

DETROIT, MICH.

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AUTHORIZED SIGNATURES



FOOD & BEVERAGE DRIVERS
WAREHOUSEMEN & HELPERS
LOCAL UNION NO. 347 DETROIT 18 MICH.

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IMILLARS
FOOD & BEVERAGE DRIVERS

BANK of the COMMONWEALTH
DETROIT, MICH.

C3-080

FROM THE SIGNATURE

Payment on
Nanette Estate

Pay to the order of and
deposited to the account of
Paul Delucia

10 Sept. 1934
Attorney for Trust No.

ANY BANK OR BANKER

Pay Endorsements Guaranteed

OAK PARK NATIONAL BANK
OAK PARK, ILL.

70-2055

70-2055

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10.20

EXHIBIT No. 162

In full payment
of J. Nancette Estate

PAID TO THE CREDIT OF AN ACCOUNT
IN THE ACCOUNT OF PAUL DELUCA

Robert J. Guler
Secretary for Trust Co.

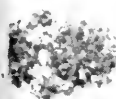
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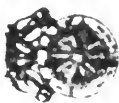
NEW YORK, N. Y.

70-2055 70-2055

FOUR EIGHT SEVEN ONE
NANCETTE ESTATE



10/1/21



FOOD & BEVERAGE DRIVERS
WAREHOUSEMEN & HELPERS
LOCAL UNION NO. 937 DETROIT 16, MICH.

No. 972

DETROIT, MICH. *2-1-37* 9-31 1937 720

PAY TO THE
ORDER OF

\$500.00

BANK of the COMMONWEALTH

DETROIT, MICH.

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INFLAME
FOOD & BEVERAGE DRIVERS

Robert Holman

AUTHORIZED SIGNATURE



*Northville Douns
by J J Carlo
For deposit only*

EXHIBIT No. 164

AMERICAN CONFERENCE OF TEAMSTERS

74-2046

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DETROIT, Mich., Jan. 11, 1920.

The sum of \$500.00 and 00/100

1941

THE OFFICE OF TEAMSTERS

RECEIVED

1997-1998

528.625

84-11189-1011

DATE: 11/10/1968

Paid

THRU
CITY OF NEW YORK
MAR 30 1968
Edmund J. Gumbel

PAY TO THE ORDER OF ONLY
ONE HUNDRED AND SEVEN DOLLARS
- Acty. Acc.
MAR 30 1968
NATIONAL BANK
OF NEW YORK
NEW YORK, N.Y.
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B.C.

PAY TO ORDER OF DEPOSIT ONLY

ANALYSTS: SCHIFFER & ROBE

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EXHIBIT No. 166

1904-1905

INTERNATIONAL ASSOCIATION OF THEFT DETECTIVES

OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF JUSTICE, WASHINGTON, D. C.

PORRITT, FRED, TOPPIN AND LOUISELL

ATTORNEYS AND COUNSELLORS

DEPARTMENT BUILDING

DETROIT 20 MICHIGAN

WITNESSES: 11-18-05

Witnesses 2-22-10

1904-1905

1904-1905

1904-1905

EXHIBIT No. 167

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DOLLARS

BEVERAGE DRIVERS

COMMONWEALTH BANK

DEPOSIT SLIP

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Wholesale Groceries

MICHIGAN CONFERENCE OF TEAMSTERS

2741 TRUMBULL

PAY TO THE
ORDER OF

John F. [illegible]
James H. [illegible]

BANK of the COMMONWEALTH

DETROIT MICH

C 29-825

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3803
JUN 1958
CONFERENCE
DETROIT

and [illegible]
Michigan [illegible]
the [illegible]

3603
DETROIT
Michigan

EXHIBIT No. 169

WILLIAM H. PIERCE, President

JOHN L. COWLING, Executive Secretary

*National Association of Negro Tavern Owners
and Licensed Liquor Dealers of America*

1730 ST. ANTOINE STREET
Detroit 26, Michigan
Phone WO. 4-8840

June 9, 1957

Political Action Committee
Michigan Conference of Taverniers
Trumbull Avenue
Detroit, Michigan

Honorable Sir:

Today we received your very helpful donation of \$50.00 which will support our National Political Organization to secure legislation to bring down the too heavy amusement tax and help our National Taverns to hire thousands of the unemployed Negro and white Theatrical and Radio Artists.

You will hear more of our National plans at a later date. Many thanks, we are.

Sincerely yours,

John L. Cowling,
National Secretary and Director of
Public Relations

**FOOD & BEVERAGE DRIVERS
WAREHOUSEMEN & HELPERS**

LOCAL UNION NO 337 DETROIT 16 MICH

No. 1161

9-31
1953 720

DETROIT, MICH.

PAY TO THE
ORDER OF

BANK of the COMMONWEALTH

DETROIT MICH

FOOD & BEVERAGE DRIVERS

DOLLARS

\$ 5000.00

Robert J. Morgan
Robert J. Morgan

C 3-058

attorney + co

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